WILL THE GOP'S WAR TALK BACKFIRE AT THE POLLS? Peter Beinart

THE NEW REPUBLIC

MARTIN AMIS DISCOVERS EVIL
Tony Judt

BUSH DISCOVERS NORTH KOREA
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NOVEMBER 4, 2002

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How British Culture Is Ruining America
Andrew Sullivan

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H.R. McMaster is a *national security affairs* fellow at the Hoover Institution.

The thought that the attacks of September 11, 2001, could have been prevented is frustrating. Intelligence indicators went unheeded, including information from 1998 suggesting terrorist plans to fly an explosive-laden aircraft into the World Trade Center or detonate explosives at an airport. We learn that the director of Central Intelligence, George Tenet, stated in December 1998 that the United States was "at war" with Osama bin Laden; he urged intelligence officials to spare no resources in the effort against Al Qaeda. In the summer of 2001 intelligence received information that bin Laden associates "were planning attacks in the United States with explosives," and thirty-three communications that indicated a "possible, imminent terrorist attack." Viewing evidence in hindsight, however, and considering it outside the context of all available information, can lead to simplistic conclusions. Broadening the inquiry to include other cases of strategic surprise can help us learn the right lessons from 9-11.

Nearly sixty years before terrorists struck Washington and New York, half the Japanese fleet moved to within striking distance of Oahu and achieved complete surprise at Pearl Harbor. **Revisiting why intelligence indicators did not generate warnings and defensive action before December 7, 1941, seems relevant to September 11, 2001.**

After Pearl Harbor, Congress also held hearings that evoked similar emotions of disappointment. A March 1941 report stated that a Japanese declaration of war might be preceded "by a surprise attack on Oahu including ships and installations on Pearl Harbor" and suggested patrols to prevent "surface or air surprise." A week before the attack, an analyst suggested that Japanese radio pattern changes indicated "active operations on a large scale." On December 3, Washington learned that Japanese diplomatic and consular posts were to destroy their codes and secret documents. On December 6, the FBI in Honolulu witnessed members of the Japanese consulate burning papers. Hours before the attack, a U.S. Navy destroyer identified a Japanese submarine in the harbor. Then as today it seemed that officials should have taken defensive action.

In her classic study *Pearl Harbor: Warning and Decision* (1962), Roberta Wohlstetter concluded that the surprise at Pearl Harbor was not surprising at all. Evidence of an impending attack was muted by the "noise" of conflicting information. Moreover, false alarms had desensitized officials to warnings. Bureaucratic barriers and preserving the secrecy of intelligence sources prevented analysts from connecting disparate indicators.

Although we may never eliminate the possibility of strategic surprise, we can reduce that possibility. The 9-11 attacks appear unprecedented in their brutality against innocent Americans, but we must resist viewing them in isolation. Many of the same causes of the Pearl Harbor surprise were present before September 11. Wohlstetter's book is representative of a rich literature on the subject of strategic surprise, studies generated in large measure by fears of a Soviet thermonuclear attack. History, however, cannot provide us with a specific plan of action to foil future attacks. But it can help us ask the right questions and avoid oversimplification.

Defending our homeland and our interests abroad requires enduring commitment, resolute action, and constant reassessment. As Sir Michael Howard reminds us, history may not be able to make us clever for the next time, but it can make us wise forever.

— H.R. McMaster

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THE NEW REPUBLIC
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CORRESPONDENCE

Ounce of prevention

TO THE EDITORS:

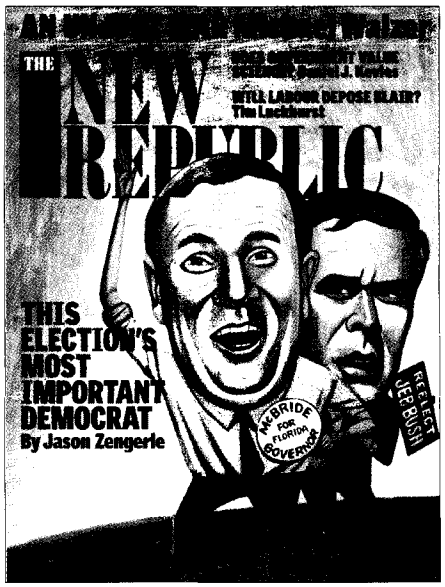
Michael Walzer was on target when he wrote that what the Bush administration has in mind regarding Iraq is preventive war, not preemption ("No Strikes," September 30). A lot of people seem confused by the distinction, including Secretary of Defense Donald Rumsfeld. But the Defense Department officially defines a "preemptive" action as one "initiated on the basis of incontrovertible evidence that an enemy attack is imminent." In contrast, a "preventive war" is a looser thing. The Defense Department says it is "initiated in the belief that military conflict, while not imminent, is inevitable and that to delay would involve greater risk." This is not mere semantics. In international law and practice there is a huge difference between "preemptive" war and "preventive" war. The former is often justified; the latter is unworthy of a nation that regards itself as a law-abiding state.

The new Bush doctrine of preventive war is breathtaking. It is not merely about Iraq; it applies to any state the United States believes would present a future threat. Rooting out stateless terrorists is one thing; we can cheer that. But attacking a sovereign state is another matter. Unless evidence of imminent attack from such a state is overwhelmingly compelling, a first strike—a preventive war—is a clear violation of international law.

Preventive war is not a new idea in the United States. By the late '40s, a host of U.S. military men and foreign policy experts believed the Soviet Union was a rising threat to U.S. security. Very early in the cold war, America's top military men began making atomic-war plans: The United States should be prepared to strike first, the thinking went, before the Soviets got stronger. Secretary of the Navy Francis Matthews, for instance, said in a speech in Boston that the United States would have to declare its readiness "to pay any price, even the price of instituting a war to compel cooperation for peace."

But President Harry Truman got it right in his *Memoirs* when he wrote of Matthews and others who had taken up the preventive-war chant: "There is nothing more foolish than to think that war can be stopped by war. You don't 'prevent' anything by war except peace."

MIKE MOORE
Senior Editor
The Bulletin of the Atomic Scientists
Palmyra, Missouri



Language arts

TO THE EDITORS:

In her review of recent literature on Artemisia Gentileschi, Ingrid D. Rowland singles out my two books on Gentileschi for discussion and, in particular, my *Artemisia Gentileschi Around 1622* ("Going for Baroque," September 30). She strangely fixates on this book's six-page preface, where she discovers an obtrusive self-consciousness (surely, methodological self-definition is not uncommon in prefaces to books) and a thin-skinned annoyance at other scholars for not agreeing with me.

Quoting from the book to support these claims, Rowland joins two unrelated sentences with ellipses, which imply a continuity of thought that does not exist in the original text. Rowland also artificially fuses two unrelated paragraphs that appear on different pages—now without ellipses—to suggest that the real-world danger of which I speak refers to other writers' disagreements with me. As would be clear to anyone who read the entire book—or even the entire preface—the danger to which I refer is not the scholarly dialogue that R. Ward Bissell and Griselda Pollock and I have enjoyed but rather the larger culture's recurrent desire to resituate Gentileschi within the disempowering stereotype of the sexualized feminine.

I'm appalled that a scholar of Rowland's caliber and standing would ignore the serious content of a book and resort to distortion and quoting out of context just to make a point.

MARY D. GARRARD
Professor of Art History
American University
Washington, D.C.

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Crossed lines

TO THE EDITORS:

John B. Judis's piece on Michael Powell's Federal Communications Commission (FCC) claims that broadband deployment has slowed because independent Internet service providers (ISPs) have had insufficient access to telephone- and cable-company facilities ("Cable Access," September 2). And Judis argues that the FCC should stimulate investment through subsidies. But Judis appears to know little about the industry, the FCC, or basic economics.

Broadband service refers to the transmission of relatively large amounts of data—a capability that both cable modem service and DSL (digital subscriber line) service offer. ISPs don't actually provide broadband service; they offer Internet access—the interface between the user and the Internet's network of linked computers. Granting ISPs open access means giving them a right to resell a transmission service provided by another company that is packaged with other services. Such access can do little to improve deployment of broadband *facilities*, because that's not what ISPs do.

In fact, open access may discourage investment in facilities. Leading economists argue that one important reason for the telecom boom and bust is not too little access but too much. If everyone gets to use a facility, no one wants to invest in it—that's the "tragedy of the commons." A company will take a risk on new and innovative facilities only if it will get a reasonable return should that investment succeed. A company will tend not to invest if it has to share the fruits with others at prices set by regulators. And competitors won't invest if they have access to existing facilities at low cost.

This points to another misunderstanding: Judis argues that broadband is a "natural monopoly" and that dealing with natural monopolies is the job of antitrust law. It is pretty silly to say that broadband is a natural monopoly when many people in urban areas already have a choice between cable modem and DSL—with additional wireless and satellite options. But even if broadband *were* a natural monopoly, that would mean that there *should* be only one provider because having more would be inefficient by definition. And dealing with natural monopolies is *not* the job of antitrust law—it is the job of regulators. You don't "encourage competition in an industry that tends toward natural monopoly." You bar competition, and you regulate prices.

Judis also claims that Powell's FCC has eliminated regulations that require telephone companies (but not cable companies) to provide open access to their lines, but that's not true. Incumbent telephone companies are still required to provide open access to DSL service. In general, Powell's FCC has not instituted any significant policies in this area (though many changes are under consideration). Every significant regulatory policy in place was established under Powell's predecessors, and Powell's FCC has continued to defend those policies in court. (I have been involved in some of these cases as a lawyer representing incumbent local telephone companies.)

Finally, Judis proposes subsidizing broadband facilities through tax breaks and transfer payments, and he faults Powell for failing to seize these "forward-looking" options. But the FCC cannot tax or spend; such subsidies would have to be instituted by the legislature. In any event, such subsidies are a bad idea. If there is a demand for broadband service, it will be provided. Judis argues access is too expensive, but the price of residential broadband is comparable to the price of a conventional phone line plus a subscription to an ISP such as AOL. Notably, independent DSL providers—despite significant regulatory advantages—weren't able to make any money, and they blew billions in start-up capital. If the prices were inflated, then they should have made a killing.

AARON M. PANNER
Chevy Chase, Maryland

JOHN B. JUDIS REPLIES:

Panner scores his points by subtly altering my arguments so that they appear open to obvious refutation. Panner corrects my seemingly idiotic assumption that the FCC "taxes and spends." In fact, I make no such assumption. I wrote about government subsidies. Panner also corrects my "claim" that the FCC "has eliminated regulations that require telephone companies ... to provide open access." In fact, I specifically describe Powell's FCC as having adopted a "proposed rulemaking" on "telephone-based broadband" that would—if it finally goes into effect after a period of comment—free phone companies

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THE BOSTON UNIVERSITY GRADUATE CREATIVE WRITING PROGRAM

Our program, one of the oldest and most prestigious in the nation, is small (no more than a dozen students admitted in any genre, with all workshops limited to twelve members); very intensive (the Master's degree is ordinarily awarded after the academic year of eight courses); and highly competitive (normally twenty-one students apply for each spot in fiction and poetry). We are best known for the quality of our graduate workshops. All of these are held in the same small room, which allows through its dusty windows a glimpse of the Charles River. Perhaps the most remarkable such workshop occurred when Sylvia Plath, Anne Sexton, and George Starbuck gathered for instruction by Robert Lowell – gathered, by the way, less often in that little room than at the Ritz Bar. These days, the poetry workshops are run by our regular faculty of Poet Laureate Robert Pinsky and Nobel Laureate Derek Walcott, who also conducts the playwriting workshops; and those in fiction are led by Leslie Epstein, Susanna Kaysen, and the newest addition to our permanent faculty, Ha Jin. Of course our students have about them the resources of a great university. That means they often take courses with a superb faculty in literature that includes, besides the poets Geoffrey Hill and Rosanna Warren, the scholar Christopher Ricks and Boston University's two other Nobel Prize winners, Saul Bellow and Elie Wiesel. It is difficult to know how best to measure a student's success, or the worth of a program to a writer; we can say that our graduates in each genre have accomplished a good deal. Over the last few years our playwrights have been awarded the ABC National Playwriting Prize, the Charles MacArthur Award for Comedy, the Heideman Award, first prize in both the 21st Century Playwrights' Festival and the Baltimore Playwrights' Festival, and productions with Naked Angels and the Manhattan Class Co. Quite recently our graduates in poetry have won the $30,000 Whiting Award, the Barnard New Women Poets Series, a grant from the NEA, and the Norma Farber First Book Award from the Poetry Society of America; there have been three winners in three years of the Discovery/*The Nation* Award, and two winners of the National Poetry Series. In fiction, our students have also won the Whiting Award, along with an inordinate share of the nationwide Henfield Awards. In 1999 our writers swept every major literary award in the country, with Ha Jin winning the National Book Award and the PEN/Faulkner, and Jhumpa Lahiri the PEN/Hemingway and the Pulitzer Prize. Not a year goes by without a graduate of our program bringing out a book with a major publisher, and some, like Sue Miller and Arthur Golden, spend a good deal of time on best-seller lists. Over the last decade we have placed more than fifteen of our graduates in tenure-track positions at major American universities. We make, of course, no such assurances. Our only promise, to those who join us, is of a fair amount of time in that river-view room, time shared with other writers in a common, most difficult pursuit: the perfection of one's craft. For more information about the program, visiting writers, and financial aid (our teaching fellows conduct undergraduate creative writing classes) write to Director, Creative Writing Program, Boston University, 236 Bay State Road, Boston, MA 02215 or visit our web site at *www.bu.edu/writing/*.

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TRB

FROM WASHINGTON

Backfire

IF THERE'S ONE thing everyone knows about the 2002 elections, it's that Iraq helps the Republicans. "Democrats desperately need to erase Iraq as an issue," insisted election guru Charlie Cook in *National Journal* on September 21. "The prospect of war with Iraq is dealing Democratic candidates a triple blow," warned *The Washington Post*'s Thomas B. Edsall on October 10.

But what if it's not true? On October 16 Gallup released a poll showing that likely voters who cited Iraq as their most important issue favored *Democrats* by a whopping 16 points. Five days later a poll by Democrat Stanley Greenberg and Republican Bill McInturff for National Public Radio found that voters were six points more likely to vote for a "Democrat who shows more caution about attacking Iraq" than a "Republican who supports President Bush's Iraq policy." In Minnesota—the Senate race where the war has featured most prominently—pollster John Zogby released one survey on September 22, three weeks before incumbent Democrat Paul Wellstone voted against authorizing unilateral force, and another on October 13, two days after: In the interim, Wellstone shot up 15 points. "The Iraq debate has boomeranged," says Larry Jacobs, professor of political science at the University of Minnesota. "Far from providing unequivocal help to Republicans, it's created a new problem that's bedeviling Republicans, at least out in Minnesota." No one can confidently predict what will happen at the polls on November 5. But it's just possible that the punditocracy is as wrong today about the political impact of the war as it was about the political impact of impeachment in 1998.

Two key assumptions have led the commentariat astray. The first is that this campaign is a struggle between "the economy," which favors Democrats, and "national security," which favors Republicans. That's misleading because "national security" lumps the war on terrorism and the prospective war on Iraq together. And politically, they couldn't be more different. In the Gallup poll, voters who cite the war on terrorism as their most important issue back Republicans by a massive 48 percent. Similarly, in a recent *Minnesota Star Tribune* poll, voters who cared most about the war on terrorism favored Republican Norm Coleman by 31 points. But voters who cited war with Iraq as their primary issue favored Democrats by 16 points in the Gallup poll and Wellstone by 32 points in the *Star Tribune* poll. The media is treating "national security" as one pro-Republican issue when, in fact, it's two—one pro-Republican and one, apparently, pro-Democratic.

The second reason the media assumes that Iraq favors the Republicans is that in national polls most Americans support the war. But for most war supporters, Iraq is not a voting issue. In the Gallup poll, 47 percent of respondents favor war, and 46 percent oppose it. When you limit the question to people who consider Iraq their primary issue, however, the numbers flip: 66 percent oppose war, and only 33 percent support it. In other words, pro-war feeling is broad, but it's not very intense. When you push war supporters a little—Do you support unilateral action? Do you support war if it means significant American casualties?—pro-war sentiment plummets.

The Democrats' Iraq strategy—raising concerns but ultimately backing the president—may have been intellectually incoherent, but it seems to have helped the party both with hardcore war opponents and nervous war supporters. Edsall and others have speculated that the party's me-too stance on the war will depress core Democratic turnout. But by emphasizing their reservations, the Democrats seem to be holding on to their base. Gallup estimates that the turnout gap between Republican and Democratic voters (Republicans always turn out in higher numbers) will be smaller this year than in 1998, when Democrats picked up five House seats. And reluctant support for the war (even Wellstone voted for an alternative resolution authorizing force in conjunction with the United Nations) also resonates with many soft pro-war voters. Polling by Democracy Corps, the Stanley Greenberg–James Carville–Robert Shrum consortium, shows that a Democrat who supports the war with reservations not only beats an unambiguously pro-war Republican 77 to eleven among Democratic voters, but 55 to 27 among Independents.

Iraq helps the Democrats in another way as well: It bolsters their argument for divided government. The more aggressive a president's agenda, the more inclined voters are to balance it by supporting the other party for Congress. That's partly why voters favored Republicans in 1994, after President Clinton overreached with health care, but not in 1998, when Clinton was on the defensive over impeachment. Bush's agenda seems aggressive today because of Iraq. Most Americans support the war, but not as strongly as the president, and divided government reflects their ambivalence. A September 29 *Washington Post* poll found that 56 percent of voters wanted Democrats to control Congress in order to balance President Bush, while only 34 percent wanted to elect Republicans to support Bush's agenda. Says Democratic Senatorial Campaign Committee Spokeswoman Tovah Ravitz-Meehan, "In almost every state, our strongest arguments are for divided government."

So if Iraq favors the Democrats, why aren't they doing better overall? One answer is that they are. During September and October, when the Iraq debate supposedly put the GOP on the offensive, Democratic prospects actually improved. The October 21 Greenberg-McInturff poll gave Democratic candidates a generic four-point advantage, the largest they've had all year. And conventional wisdom among political insiders—according to ABC's "The Note," which tracks it more closely than anyone—now holds that the Democrats will retain the Senate, something very much in doubt several weeks ago.

The Democrats probably won't win big because there aren't a lot of places to win big. Gerrymandering has only left between 30 and 45 competitive House seats, which means that even if Democrats won two-thirds of them, they still might fail to retake the House. They probably won't win big because the president with the highest-sustained approval ratings in American history is making a historically unprecedented push for Republican candidates. And they probably won't win big because they haven't developed a compelling message on the economy, the issue on which Republicans are most vulnerable. (Most polls show the Democrats with a slim to nonexistent lead on the issue.)

But, however well the Democrats do on November 5, Iraq is more likely to have helped than hurt. As someone who thinks the party's performance on the issue has veered between pitiful and pathetic, that doesn't fill me with partisan pride. But then, Bill Clinton's 1998 tryst with Monica Lewinsky didn't fill me with partisan pride either. And to the astonishment of almost everyone in Washington, it helped Democrats in that year's midterms too.

PETER BEINART

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Island Mentality

THE MASSIVE BOMBING on the Indonesian island of Bali two weeks ago was a reminder that the United States must focus more attention on Indonesia, the world's largest Muslim country, lest it develop into a hub for terror.

Unfortunately, the two Indonesia strategies being debated in Washington—working more closely with the brutal and compromised Indonesian armed forces or continuing our unmitigated support for Indonesia's do-nothing president, Megawati Sukarnoputri—are both fatally flawed.

The Indonesian army, known locally as TNI, has a horrific history—bad enough that the Heritage Foundation, hardly a group of bleeding hearts, argued in a 2001 briefing paper that "every one of Indonesia's current security crises is a manifestation of policies implemented by the government and the military." In 1999, after East Timor voted to declare independence from Indonesia, TNI soldiers went on a rampage, raping and murdering at least a thousand Timorese. Worse, elements of TNI—either because of their own Islamist inclinations or in order to foment conflict and ensure an ongoing role for security forces—actually *created* several of Indonesia's terrorist groups, arming and training Laskar Jihad, Islamic Defenders Front, and other Islamist militias allegedly responsible for a series of shootings and bombings that preceded the Bali blast.

After the Timor massacre, Congress barred military-to-military links between the United States and TNI, insisting that the ban would not be lifted until the army purged its worst abusers. But although efforts at reform have been meager, the Bush administration has spent the past year quietly pushing for closer ties with TNI, using a loophole in an appropriations bill to resume limited military aid earlier this year. Some U.S. officials would now like Congress to appropriate additional funds to train the Indonesian army in counterterrorism tactics. In September, Paul Wolfowitz, a longtime TNI defender, told reporters that "it is a mistake to accuse the entire military indiscriminately" and suggested that the United States help TNI to reform itself internally.

But there's little cause for such optimism. TNI Lieutenant General A.M. Hendropriyono—who earned the nickname "The Butcher of the Lampung" for his role in a 1989 massacre of hundreds of civilians in the Lampung province—has been promoted to national intelligence chief. TNI continues to torture and murder at will in the separatist-minded province of Aceh, where over 1,600 people have been killed in 2002 alone. Meanwhile, the military maintains links to terrorist groups like Laskar Jihad, and it may be continuing to target foreigners as part of a protection racket intended to force multinationals to hire TNI officers as private "security."

Yet, the presumed alternative—placing all our bets on the civilian administration of President Megawati—is hardly any better. For more than a year U.S. officials have offered the president strong support, even as some of her top lieutenants have demonized U.S. policy and lent support to radical Islamists. The United States barely protested in fall 2001 when Megawati failed to condemn rallies in the streets of Jakarta in which radical Islamists threatened to "sweep" Indonesian cities clean of foreigners. Since then, Islamists—who make up a small percentage of Indonesia's population—have dominated public discourse in the country. Thanks to the president's passivity, Islamist organizations such as Jemaah Islamiah—which some analysts believe is linked to the Bali bombing—have enjoyed room to operate, whip up public support, and, allegedly, develop ties to terrorists.

Washington needs to pressure Megawati to go on the political attack against Islamists and Islamist militias, while at the same time cultivating other Indonesian leaders in case she proves unequal to the task. Megawati could take advantage of local revulsion over the bombing to rally moderates around her, push the civilian police (but not TNI) to investigate Islamist groups and *madrassas*, campaign against Islamists planning to run in future elections, and curtail her ministers' ties to radicals spewing anti-Western vitriol. (Megawati's vice president, for example, has hosted dinners for Jemaah Islamiah leaders.)

If Megawati or another leader proves willing to accept this political battle, Washington could support Jakarta in several ways. The United States could provide more funding for Indonesia's police and for moderate Islamic education. It could facilitate intelligence-sharing between Indonesia and its neighbors. And the United States could push the International Monetary Fund and Western businesses in Indonesia not to pull out of the country, whose economy will probably be hurt by a drop in tourism. The Bali bombing shows that Al Qaeda may be mutating, utilizing new actors and finding new targets. U.S. policy must prove just as adaptable. ■

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NOTEBOOK

THIS IS YOUR PRESIDENT ON DRUGS: President Bush's proposal this week to expand access to generic drugs has a lot of Democrats questioning his motives. And not without reason: Given Bush's past support of the pharmaceutical lobby, the timing of his proposal looks suspiciously like a last-minute election ploy to inoculate GOP candidates from the charge that they're ignoring the plight of seniors who face high drug costs. But just because a proposal is politically convenient doesn't make it bad policy. One of the most egregious practices of the pharmaceutical industry is their use of frivolous patent lawsuits to keep generic competitors off the market for years at a time; Bush says he will limit such lawsuits with the new regulation. Ah, but notice that key phrase: "Bush says." In fact, Bush hasn't even unveiled a formal regulation yet; he likely won't do so until after the election. Once that happens, a comment period follows, during which the administration can further modify the regulation. In other words, the administration will still have plenty of opportunities to water down the regulation before it actually takes effect. And even if it does take effect, it will almost certainly be challenged in court by the pharmaceutical industry. That would delay implementation further, and, if recent court opinions are any indication, quite possibly quash the idea altogether. If that happens, Bush may shrug helplessly, saying he did the best he could. But he could do much better. The generic-drug bill that sailed through the Senate with 78 votes this summer would change the underlying law, thereby heading off court challenges. Bush opposes that bill, which—thanks to administration allies like Representative Billy Tauzin—now languishes in a House committee. If Bush really wanted to prevent lawsuits against the manufacture of generics, he could push Congress to send him legislation and promise to sign it when it arrived on his desk. The fact that he's not doing this suggests that Democrats are right to question his motives—and everyone else should, too.

UNACCOUNTABLE: Those skeptical that Bush will follow through on his prescription-drug promises need look no further than his backtracking on corporate accountability. Back in July, when Enron, WorldCom, and Global Crossing were front-page news, Bush styled himself as a crusader for corporate reform and called for a $130 million, or 30 percent, increase in the budget of the critically undermanned Securities and Exchange Commission (SEC). Convinced even that wasn't enough, Congress did him $200 million better, boosting the agency's budget by nearly 77 percent. When Bush signed the bill on July 30 he declared, "This law says to honest corporate leaders, 'Your integrity will be recognized and rewarded.'" Fast-forward to the present day, however, and the president's own honesty and integrity on the subject are in doubt. With public attention now shifted to Iraq, the White House is trying to block Congress's proposed increase, urging that next year's budget give the SEC only the $130 million increase that Bush first suggested. Looks like the president's much-touted "accountability era" is already drawing to a close.

FADE TO GRAY: It hasn't been a good week for the current and presumed-future governor of California, Gray Davis. First, despite the pitiful campaign being run by his rival, Republican Bill Simon, a new poll showed that just 41 percent of California voters were planning to vote for Davis on Election Day, with 17 percent undecided. But Davis's abysmal negatives are nothing new; more depressing is the fact that, as we noted in our daily Web journal "&c." (available at *www.tnr.com*), the unloved governor couldn't even get a nod from the broadcasting booth during game two of the all-California World Series. Throughout the game, shot-callers Joe Buck and Tim McCarver made a point of noting celebrities in attendance: Charlie Sheen, Kiefer Sutherland, and a rally-monkey-adorned Kobe Bryant all got their due. In the bottom of the fifth, with the Angels trailing the Giants nine-seven, Buck caught the camera creeping to a certain VIP box, where Davis was catching the action with Disney honcho Michael Eisner. But Buck, oblivious, pointed out only Eisner. You'd think there would have been at least one producer involved in the broadcast who'd have recognized Davis and alerted the sportscasters that the guy sitting next to the fatuous Disney blowhard was ... well, the fatuous blowhard who runs the state. Then again, you'd think that the incumbent Democratic governor of one of the most liberal states, faced with an incompetent campaign by a conservative challenger, could crack 50 percent in the polls.

OUR MAN IN RIYADH: Ever since Nicholas Kristof was given a twice-weekly column on *The New York Times* op-ed page late last year—a move that, according to *The New Yorker*'s Ken Auletta, was prompted largely by *Times* executive editor Howell Raines's desire to move Kristof out of his associate managing editor job—his work has been, well, uneven. First, there was the March 1 column in which he portrayed embattled University of South Florida Professor Sami Al-Arian—a man who ran two Muslim organizations that the FBI suspects were fronts for the Palestinian Islamic Jihad and whose past public statements include "Death to Israel" and "Jihad is Our Path"—as an unfairly persecuted academic who "denounces terrorism [and] promotes interfaith services with Jews and Christians." Then there were the columns that essentially accused former U.S. Army scientist Dr. Steven Hatfill—Kristof referred to him as "Mr. Z" but described him in such exhaustive detail that he all but revealed his identity—of being the anthrax killer. (Hatfill is reportedly contemplating a libel suit against Kristof and the *Times*.) And then there are Kristof's recent dispatches from Iraq. Unlike *Times* Iraq reporter John F. Burns, who notes in his news stories that his interviews are almost always conducted in the presence of an Iraqi government official, Kristof hasn't been very skeptical of the run-of-the-mill

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Iraqis who declare their hatred of the United States and swear to fight to the last man. "[I]f even a tiny proportion of the braggarts are serious," he wrote on September 27, "then look out." And finally there was Kristof's column from Riyadh this week in which he declared that "Osama bin Laden succeeded magnificently, it seems, in at least one of his goals: creating a rift between the United States and Saudi Arabia." He quotes a Saudi engineer who says, "Our people very much hate the U.S.," and he cites a recent poll by Zogby International, which found that 87 percent of Saudis have an unfavorable view of the United States. "It turns out," Kristof concludes, "that Saudis have as much animosity for us as we have for them. ... Even among the many Saudis who lived for years in America, there is a deep sense of betrayal that matches our own." Excuse us? As much animosity for us as we have for them? Even a simple comparison of polling data reveals Kristof's easy moral equivalence to be false: A Zogby poll last December found that just 58 percent of Americans have an unfavorable view of Saudi Arabia. And never mind that the Bush administration has bent over backward to placate the obstructionist Saudi regime on a whole list of policy matters, from Israel to Iraq to cracking down on terrorist financiers. But most jarring is Kristof's suggestion that the Saudis' sense of "betrayal" is the mirror image of ours. The Saudis feel betrayed because in the wake of the September 11 attacks—whose 19 direct perpetrators included 15 Saudis—the United States has made it somewhat harder for Saudis to get U.S. visas. Americans, by contrast, presumably feel betrayed not only because Saudis were so well-represented among those who planned and carried out the murder of thousands in New York and Washington but also because Saudi Arabia—a putative ally that we rescued from Saddam Hussein in 1991—spent much of the subsequent decade subsidizing radical anti-American Islamism at home and abroad, a fact Kristof breezily dismisses with the disclaimer: "Sure, the Saudi monarchy bears some responsibility for fundamentalist Islamic terrorists." Next up on Kristof's world tour: Why they loathe us in Pyongyang.

NEVER FORGET WHAT THE REAL STORY IS: "Would he be inclined to watch this program?"—Larry King, speculating about the personality of the Beltway sniper on CNN's "Larry King Live," Friday, October 18

DEPARTMENT OF CORRECTIONS: In Robert Brustein's article "Arthur Miller at 87" (October 14), Mel Gussow's book was incorrectly identified. The title is *Conversations with Miller*, and it is published by Applause Books, which deserves applause for doing so. In the same issue, Boston University law professor Susan P. Koniak's name was misspelled ("Private Practice" by Michelle Cottle). We regret the errors. ■

INSIDE THE BOX | Bruce Reed

TRICK OR TREAT

North Korea stuns world by fessing up to nuke program. White House decides not to wage two-front war: "It's just a midterm!"

DÉJÀ VU

France, Russia press Security Council to pass watered-down resolution against Iraq. Seventeenth time's the charm!

SUNSHINE STATE

President pulls out all the stops to try to save Jeb's troubled campaign. Note to Fidel Castro: Watch your back.

WELFARE CHECK

White House makes obscure division of HHS pay for president's campaign trips. Bush defense: If it's not for campaigning, why do they call it the Office of Family Assistance?

SLOWDOWN

Index of leading economic indicators falls fourth straight time. Economists revise what to call consecutive quarters of negative job growth: a Bush recovery.

GUN NUTS

Conservatives, Ari Fleischer say gun database wouldn't help against Beltway sniper. NRA's new argument: Look at all the gas we're saving.

HEADS UP

Police warn members of Congress to watch out for Al Qaeda snipers on the golf course. For general public, prior warning to watch out for golfing congressmen remains in effect.

HOLY SEESAW

Vatican rejects U.S. zero-tolerance policy for bishops. Rome cites church precedent: "Make me chaste, Lord, but not yet."

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White House Watch

Nuclear Test

By Ryan Lizza

When the White House revealed last week that North Korea had admitted to operating a secret program to enrich uranium for nuclear weapons, Democrats had two responses. The first was that the revelation was an October Surprise meant to shift voters' attention back to national security issues now that the Iraq vote was over. "The Bush administration has no shame when it comes to the use of foreign policy and national security to influence domestic elections," a top Democratic operative said the day after the news broke. Bush is "distracting the American people with threats from abroad."

But it wasn't politics that spurred the White House to make the announcement on October 16, twelve days after Assistant Secretary James Kelly confronted the North Koreans in Pyongyang. It was journalism. Last Wednesday the news was about to leak, so the White House decided to strike preemptively and make the announcement itself. Chris Nelson, a trade analyst in Washington who writes a daily e-mail newsletter that is widely read by Asia policy insiders, had the story. His Korean and Japanese sources tipped him off in the morning. He sent an e-mail to some administration and Capitol Hill contacts for confirmation. "Kelly accused the North of violating the agreement," he wrote. "Said they had built new facilities and showed them the intelligence. They ... admitted they were cheating." By that afternoon some of his State Department sources had written back, warning him darkly about threats to the "national interest" if he went with the story. He reluctantly decided not to publish *The Nelson Report* that evening.

Meanwhile, that afternoon over at *USA Today*, Barbara Slavin, who has covered North Korea for years and has been to the hermit kingdom three times, independently heard details of the Kelly meeting from Washington sources outside the State Department. She too had the story nailed down by Wednesday afternoon. By then the White House had realized they couldn't control the information any longer. They beeped a select group of reporters, not including Slavin or Nelson, and briefed them on Kelly's North Korea trip in a conference call at 7 p.m that evening.

While the Democrats' October-Surprise suspicions turned out to be wrong, their second response was absolutely correct. Why, they asked, didn't the administration brief Congress about North Korea's nuclear disclosure before members voted on the Iraq resolution? When trying to judge how grave a threat Saddam Hussein is, they argued, surely Congress should have the latest intelligence about other hostile states. The Bushies' answer is that they had indeed briefed Congress. "When Jim Kelly came back from North Korea," national security adviser Condoleezza Rice said Sunday on CNN, "several briefings were in fact offered and others, taken up by a number of key people on the Hill, to talk about what Kelly had found." On the same day, Secretary of State Colin Powell added, "[A]fter Assistant Secretary Kelly went to North Korea and came back with the information that they admitted it, we began another round of briefings, not only from the State Department but the CIA, to pass on this new information." But that's misleading. Kelly had his confrontational encounter with the North Koreans on October 4. The House passed its resolution on the afternoon of October 10, and the Senate did the same just after midnight. So, how many congressional briefings did the CIA and the State Department hold between the fourth and the tenth, according to their own data? Zero.

The only briefings that took place were on the tenth, the day of the vote. On that day Senator Dick Lugar and Representatives Jim Kolbe and Jim Leach—all Republicans—were the only members briefed. And Lugar and Kolbe's briefings were done at their *own* request, not the State Department's. In those briefings Kelly was forthright about what he had learned. "He was shockingly blunt about North Korea," says one official who attended. Kelly read verbatim what the North Koreans told him in Pyongyang. "It was very nasty," says this official. Nonetheless, out of the 532 members currently in Congress, exactly three were briefed by the administration about North Korea's belligerent disclosure before the war resolution passed.

So who leaked the story to Slavin and Nelson in the first place? For once it was not the administration hawks—usually the most aggressive about pushing their views in the press. "The story was leaked by people who are opposed to the administration's North Korea policy," says Slavin about her sources, who were concerned that vital information regarding North Korea policy not be secret. "Even though it might hurt U.S.–North Korea policy, they thought it would have a sobering impact on the policy toward the 'axis of evil.'"

It has put the hawks in a tight spot. Instead of the schadenfreude you'd expect from some of Bush's hard-line advisers, who have long wanted to abandon Clinton-style engagement with North Korea and move toward a more aggressive posture, the announcement has put them on the defensive. Indeed, some of their most cherished goals and principles are suddenly in doubt. Start with Iraq, their first priority. They fear that a crisis at this moment with North Korea could jeopardize their goal of overthrowing Saddam. In the past, Pyongyang has said that even sanctions, which the administration seems to be considering, would be an act of war. That kind of confrontation could halt the momentum for dealing with Iraq. "The hard-liners think there is a sequential approach," says an administration official. "You deal with one problem at a time." Adds another, "This kind of overloads the system."

That fear has meant that the administration has had to

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back away from another hard-line principle: that North Korea is a member in equal standing of the axis of evil. Indeed, in order to keep the spotlight on Saddam, and to make sure Kim Jong Il doesn't feel backed into a corner, the administration has stopped speaking honestly about the repressive nature of the North Korean regime. Bush's first public comment was that the nuclear disclosure was "a bit of troubling news." "I view this as an opportunity to work with our friends in the region ... to convince Kim Jong Il that he must disarm," he added. He had no harsh words for a regime that systematically starves its people while feeding its massive military. And there's an obvious reason for that. "Despite all the tough guys, the fact is there are eleven thousand long-range artillery pieces right across the DMZ [demilitarized zone] line from Seoul," one administration official points out. "If you are looking for moral clarity you are in trouble."

Unlike Iraq, there is also no unilateral option, another tenet of the hawks' strategy. The United States must act in concert with Japan and South Korea, essentially subordinating some of our interests to theirs. The greater compromise, however, will come with China. Since September 11 the United States has been moving away from the hard-liners' view of China, most recently by acceding to its request to brand an obscure group of Western China rebels as terrorists. The North Korea crisis will accelerate this trend because Bush must now rely on Beijing, North Korea's only real ally, to pressure Kim Jong Il. The Chinese have many reasons to cooperate. They fear a nuclear North Korea will eventually mean a nuclear Japan, and they worry about which direction the peninsula's nuclear weapons would be pointed if the Koreas are one day unified. The Chinese also fear two other developments that would accompany a nuclear North Korea: They know it will hasten American plans for missile defense and that it will lead to a buildup of U.S. forces in the region. For all these reasons, China has an interest in persuading North Korea to disarm. And, as one of Kim Jong Il's main suppliers of food and oil, they have carrots that they can take away. But the hawks still worry about what the Chinese will want in return. "There are a lot of things they could do if they wanted to," says one official. "This is a test of China."

It's also a test for Bush. Eleven days went by after the Kelly mission before he was even briefed by his senior advisers on what to do about North Korea. It took five days after the news broke for Bush to mention North Korea publicly. On Friday, Bush will interrupt his campaigning for a summit with Jiang Zemin in Crawford, Texas, where he will offer the first real glimpse of his post-revelation policy. What Bush thinks about North Korea is still a bit of a mystery. Hawks point to the axis-of-evil speech. Moderates say he has changed his approach since then. "People in the embassy told me that the [hostile] reaction from the Koreans during his trip to Korea after the axis-of-evil speech changed him," says one State Department official. But the remarkable thing is that for once, perhaps because the policy options are so limited, a schism between the hard-liners and the multilateralists hasn't surfaced. "I haven't seen a split yet," says one administration hawk. He pauses and adds, "Yet." ■

Al Qaeda's disinformation war.

Noise Pollution

By Eli J. Lake

In the weeks leading up to the October 12 bombing in Bali, warnings of pending terror flooded U.S. intelligence channels. Analysts from the National Security Agency (NSA), the CIA, and the FBI combed through threats suggesting that car-bomb attacks, hijackings, and kidnappings were planned against Americans on three continents. The volume of electronic and telephonic communications—what intelligence professionals call "chatter"—between assumed Al Qaeda operatives spiked in late September. Intelligence analysts suspected that audiotapes from Osama bin Laden and his top deputy, Ayman al-Zawahiri, released earlier in September contained coded messages to Al Qaeda–linked terrorists to launch new strikes. By mid-October, U.S. intelligence was nearly certain, as CIA Director George Tenet told a joint hearing of the House and Senate Intelligence Committees on October 17, "that Al Qaeda is in an execution phase."

But U.S. intelligence didn't know specifically what Al Qaeda would do. So the administration did what it always does when it is faced with a deluge of vague threats: It scared the hell out of everyone. On October 10 the State Department issued a "Worldwide Caution," recommending that Americans abroad avoid "facilities where Americans are generally known to congregate or visit, such as clubs, restaurants, places of worship, schools or outdoor recreation events." The warning extends through April 8, 2003. In other words, it suggests that for six months Americans overseas should avoid going to school, church, or out to eat.

A more useful warning might have recommended that Americans not travel to Indonesia, something the State Department's Bureau of Consular Affairs considered in the week before the Bali incident. Indeed, new information stemming from an investigation into a grenade attack in central Jakarta on September 23 suggested that a larger attack might be in the works, though it was not specific to Bali. But no new Indonesia-specific travel warning was issued. This was due, at least in part, to the fact that the intelligence community had received credible threats to American targets in Africa, Europe, the Middle East, and Southeast Asia as well. "Considering the information we had regarding the general worldwide situation, we issued a Worldwide Caution," Kelly Shannon, a spokeswoman for the State Department's Consular Affairs bureau, told The New Republic.

Eli J. Lake is State Department correspondent for United Press International.

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In other words, one of the major problems confronting U.S. intelligence a year into the war on terrorism is that it has too much information—and most of it bad. Worse, many in the U.S. intelligence community believe this is no accident. "Do the terrorists use disinformation? Absolutely," Chairman of the House Permanent Select Committee on Intelligence Porter Goss said during a break at last week's joint intelligence hearings about September 11, 2001. One counterterrorism official told TNR last week, "few threats provide any specific information, and some threats are intended to mislead." At a September 19 hearing of the joint House-Senate Intelligence Committee's investigation into September 11, 2001, Deputy Defense Secretary Paul Wolfowitz put it this way, "[W]e should not underestimate the skill of our enemies or their determination to conceal their activities to deceive us. They understand how we collect intelligence, how we are organized, and how we analyze information."

Indeed they do. Since September 11, 2001, evidence has mounted that Al Qaeda has a keen understanding of the U.S. intelligence-collection system. Among the numerous written materials confiscated from Al Qaeda lairs in Afghanistan are handbooks on how to evade and deceive U.S. signal-interception systems, including detailed instructions on when various kinds of satellites orbit over specific land areas. Last December the CIA believed that an intercept of bin Laden's voice on the radio in the caves of Tora Bora had pinpointed his location. According to U.S. intelligence officials, the Defense Intelligence Agency (DIA)—based on an analysis of NSA data—now believes this was deliberate deception. Similarly, in April, one of bin Laden's chief operations officers, Zayn al-Abidin Mohammed Husayn, commonly known as Abu Zubaydah, told American military interrogators that Al Qaeda would target U.S. banks in the Northeast. The FBI warned local police stations and financial institutions in twelve states plus Washington, D.C. In hindsight, one former FBI official told TNR last week, the bank warning was "bullshit," and, "We were pretty sure it was wrong at the time." Another national security consultant to the government familiar with the Zubaydah interrogations said, "Suffice it to say, some of the stuff that has come out of the terrorist camps, part of the interrogation take, is made up. ... These guys were having fun with us."

GROUND ZERO FOR the American side of the information war is an interagency panel that has been meeting in Washington—usually twice daily—by videoconference since the September 11 attacks, and less frequently before then. The panel, known within the government as the Counterterrorism Sub-Group (CSG), includes senior officials from the CIA, the DIA, the FBI, the NSA, the Office of Homeland Security, the Justice Department, the National Security Council, the Pentagon, and the State Department. Often representatives of the Federal Aviation Administration, the Immigration and Naturalization Service, and other branches of the government sit in as well. The panel serves as a clearinghouse for threat analysis based on raw data that pours into the system; it also advises various agencies on whether and how to make threats known to the public. The panel might recommend, for instance, sending notices to local law enforcement officials, issuing travel advisories for particular countries, and changing the color of the current terror warning system. While authority to issue warnings rests with the agencies, the panel has considerable influence.

In the spring and summer of 2001 the CSG was flooded with terror warnings. Cables reporting potential mortar attacks, car bombs, and kidnappings streamed into the State Department's operation center and CIA headquarters from throughout the Islamic world. The NSA also intercepted 33 communications suggesting pending strikes on American targets in the months prior to September 11. "Throughout the summer of 2001 we had more than thirty warnings that something was imminent," NSA Director Michael Hayden told Congress last week. "We dutifully reported these, yet none of these subsequently correlated with terrorist attacks." As a result of the threats, U.S. Embassies in the Middle East were placed on highest alert—requiring, among other things, embassy staff to keep only as much classified material in their offices as they could burn within two hours.

During those months the CSG issued a confusing series of warnings. At first the group predicted that an attack would occur on or around May 29, 2001, in retaliation for the conviction in U.S. Federal Court of the planners of the 1998 bombings of the U.S. Embassies in Kenya and Tanzania. This prompted the State Department to issue a Worldwide Caution and prompted embassies to increase security. Nothing happened, but the threats continued. So the CSG offered a new theory: An attack would come in response to the June 21, 2001, U.S. grand jury indictment of 14 men connected to the bombing of the Khobar Towers, the American military housing facility in Saudi Arabia blown up on June 25, 1996. This prompted the Pentagon on June 22, 2001, to place U.S. forces on heightened alert, to cancel a joint training exercise with the U.S. Marines in Jordan, and to put the entire fifth fleet of the U.S. Navy—stationed in Bahrain—to sea to avoid a repeat of the attack on the USS *Cole* in Aden, Yemen, the year before. The Sunday prior, an FBI team in Yemen investigating the USS *Cole* attack had evacuated the country because of information that they were an imminent target. Still, nothing happened. Finally, CSG put out word that the big attack would likely come on July 4, Independence Day, and the intelligence community corroborated in June with an alert predicting a "spectacular attack" in the Arabian Peninsula, Israel, or Italy in the near future. All told, the State Department issued four Worldwide Cautions between May 11 and September 7, 2001.

According to sources familiar with the minutes of the CSG meetings that summer, after July 4 many on the committee openly raised the possibility that the threats from Al Qaeda might be strategic disinformation. Though Tenet told the Joint House and Senate Select Intelligence Committee on October 17, 2001, that "[w]e considered whether Al Qaeda ... [was] trying to create panic through disinfor-

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mation. Yet we concluded that the plots were real," others were doubtful. David Carpenter, the State Department's assistant secretary of state for diplomatic security at the time, told TNR that in the summer of 2001 he thought the prospect of disinformation was possible, even probable. "Even though there was a tremendous amount of information being received, we still remained skeptical about the great majority of [it]," he said. A kind of threat-fatigue set in. Mel Goodman, a former CIA analyst who teaches national security at the National War College, said, "When it did not happen after July Fourth, there was some complacency. At DIA and CIA the people ringing the most bells were steadily discredited and marginalized." Cofer Black, at the time the CIA's chief of counterterrorism and a member of the CSG, told the Senate Select Intelligence Committee on September 26, "By late summer [2001] I was growing more concerned about a potential attack on the United States. However, I knew that we needed very specific information about an attack if anyone was going to pay attention to us and facilitate action."

Indeed, there's some evidence that bin Laden's network was testing how the United States would react to certain kinds of threats prior to September 11, 2001. "Certainly they are aware we have a massive intercept capability," says Jeffrey T. Richelson, a senior fellow at the National Security Archive and the author of *The U.S. Intelligence Community*. "They will want to determine if they are being listened to and how fast we would respond to a threat." To track U.S. reaction to disinformation, bin Laden's men would need only an Internet connection and the State Department's Web address. There they would have seen, for instance, on June 22, 2001, the State Department's warning that Al Qaeda was targeting Americans abroad. Had they introduced the threats themselves, they would know that the line of communication they used was being tapped.

Adding credence to the disinformation theory is the fact that almost none of the pre-September 11 information was what the professionals call "tactical intelligence," laying out the specific time, location, and method of a terror strike. The CIA's Counter-Terrorism Center, for example, received word in June that bin Laden associates had been preparing for martyrdom operations but heard of no precise plan. If Al Qaeda believed it was communicating through secure lines, U.S. intelligence would expect the information to be—at least more frequently—specific.

ALL THIS VAGUE intelligence prompts the kind of fuzzy anxiety that leads embassies to heighten their security posture, the State Department to issue public warnings to citizens abroad, and the Office of Homeland Security to change color warnings. And this can actually make preventing terrorist attacks harder. Rear Admiral Lowell E. Jacoby, the DIA's acting director, told Congress on October 17, "[W]e can take little comfort in strategic warning where the threat of terrorism is concerned. The nature of the threat demands warning with tactical perspective,

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timeliness, and specificity. A natural tendency to 'over-warn' must be recognized and overcome."

By all accounts, though, this tendency is nearly irresistible. The vague warning systems provide the intelligence agencies political cover from Congress and the administration if a terrorist attack does happen. Says Richard Perle, the chairman of the Defense Policy Board, "If you are an intelligence officer, and you have to make a quick assessment, you ask yourself, 'What are the consequences if I judge this to be a false alarm, and it turns out to not be a false alarm? Then I am responsible. If I take the alarm to be genuine and it turns out the event did not materialize, there is much less damage compared to the damage of getting it wrong the other way.'" Indeed, since the 1988 bombing of Pan Am Flight 103—when some publications ran stories claiming that American diplomats had been warned that an attack was imminent—State Department policy has been that no threat warnings shared widely within the government should be kept from the public. Rusty Capps, the president of the Centre for Counterintelligence and Security Studies, a Washington-area training center for U.S. intelligence officers, believes the warning system only exists "to allow bureaucrats to feel they have done something and have covered themselves."

To get the kind of tactical warnings they need to foil terrorist plots, U.S. analysts need more and better *human* intelligence—the kind of information that comes from paid informants inside Al Qaeda's inner circle. On some level, the intelligence community seems to know this. On October 17 Tenet told Congress that in 1999 his agency had launched something he called "the Plan" to, among other things, infiltrate Al Qaeda. Since that operation began, he said, the number of human-intelligence reports has increased significantly. In addition, since September 11, 2001, the CIA has successfully squeezed foreign spy services—such as Sudan and Pakistan—for vital information on Al Qaeda. Even the interrogations of Al Qaeda prisoners at Guantanamo Bay have provided important context for the roughly two million communications the NSA monitors on average every hour. The CIA and NSA are developing computer models to help sort through these intercepts to determine the reliability of the source and to separate them from "background noise" like anti-American statements made by non-terrorists.

While these initiatives may bear fruit down the road, the intelligence bureaucracy has a more urgent task now: to meaningfully warn Americans about terrorism given the abundance of phony threats it currently collects. That means scrapping the Office of Homeland Security's five-color threat-alert system, which is used inconsistently and mainly serves to terrify Americans. It means narrowing Worldwide Cautions to specific regions. It means, whenever possible, conveying the reliability of the source of the threat information. Americans need to know when they are under threat of attack. But they do not need to be constantly afraid. If the two are confused, then the public will soon learn the lesson that intelligence officials have learned the hard way: Too much information can often be as dangerous as too little. ■

How to overthrow Pyongyang—peacefully.

Power Play

By Adam Garfinkle

The recent revelation of North Korea's clandestine nuclear weapons program brought an obvious question immediately to the fore: If Iraq, why not North Korea? The question was so obvious and uncomfortable, in fact, that according to some reports the Bush administration delayed its announcement of the relevant facts for twelve days, lest it interfere with the extraction of a congressional resolution supporting force against Iraq. It did this, presumably, to prevent critics—bent on collecting reasons not to go to war against Saddam Hussein—from asking the question in reverse order: If not North Korea, then why Iraq? In other words, if there is no case for military action against a roguish North Korea that has developed a weapons-of-mass-destruction program more advanced than Iraq's—as the Bush administration has more or less admitted by its emphasis on a diplomatic solution—then how can there be a case for military action against Iraq?

The immediate answer is simple: We must presume that North Korea now has a deliverable nuclear bomb and could therefore respond to any attack by vaporizing Seoul or Tokyo. That is why the administration's decision not to threaten war against North Korea is correct; but it is also why the North Korean case *strengthens* the case for preemption against Iraq: If we do not act against Saddam before he gets the bomb, we may forfeit our ability to act against him ever again.

The harder question is how we should respond to North Korea's provocation if military action is not an appealing option. The presumed alternative is a return to the diplomacy we have pursued in the past—e.g., we refuse North Korea the food and economic aid it so desperately needs unless and until Pyongyang agrees to discontinue its development of weapons of mass destruction. Indeed, some commentators have even suggested that North Korea's nuclear admission was a good thing, a "cleansing" akin to Kim Jong Il's apology to Japan for kidnapping some of its citizens in decades past. These commentators, and many foreign ministries around the world (our State Department not excluded), believe that North Korea has lately been hell-bent on genuine internal reform and normalized foreign relations—a conviction based on a collection of minor economic policy adjustments and symbolic gestures toward South Korea and Japan. A better deal, they think, is at hand.

Adam Garfinkle is editor of *The National Interest*.

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But while it may be possible to square Pyongyang's nuclear breakout with a genuine reformist agenda, it's a great deal easier to read the evidence in the opposite way: The regime's confession to a clandestine uranium-enrichment program, and to other "more powerful" weapons efforts, is not part of any reformist "cleansing." If it were, the revelation would have been accompanied by some willingness to negotiate away the program. But, rumors based on wishful thinking aside, no such credible hint is at hand. Nor does the manner of confession support a benign interpretation. It's not just the weapons program itself that provides reason for concern but also North Korea's simultaneous and unilateral renunciation of the 1994 Agreed Framework, which conditioned aid on Pyongyang's promise not to pursue weapons of mass destruction, and the aggressive and unapologetic manner in which it was done.

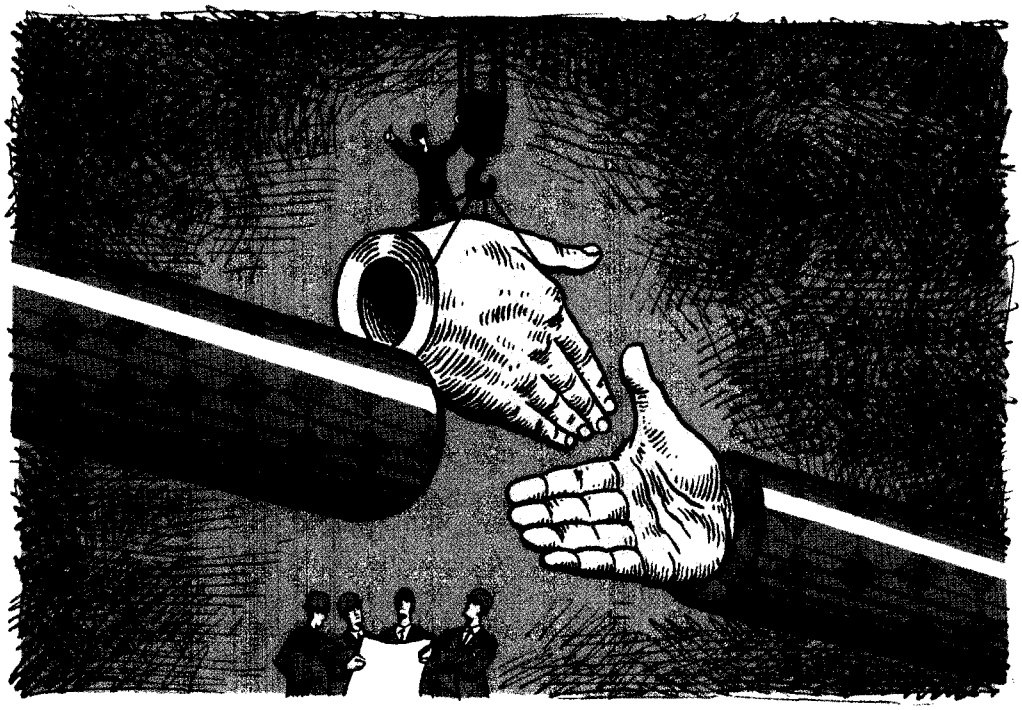
Similarly, it should now be clear that Pyongyang's economic policy changes are but superficial responses to economic desperation. If the regime truly sought internal reform, it would begin to demobilize its obscenely large 1.7-million-man army and put those men to productive work. It's a good bet, too, that recent charm offensives toward Japan and South Korea have been designed, in the former case, to extract aid from Tokyo and, in the latter, to help the party of Kim Dae Jung and its pliant "sunshine policy" win December's South Korean election. The purpose of all this, in other words, is to *minimize* internal change in North Korea and to advance Pyongyang's objective of separating American power from both South Korean and Japanese security structures.

These unchanged objectives and tactics conform to the basic pattern of North Korean behavior over many years: charm offensive followed by extortion, followed by another charm offensive, followed by another extortion. The charm offensive softens up the target, and the act of extortion frightens it into forking over the loot. It's a mafia shakedown on an international scale, and it has worked very well in recent months. As Robyn Lim of Japan's Nanzan University put it in the aftermath of last month's Japanese–North Korean summit: "This regime's only preoccupation is preventing another Romania"—that is to say, the bloody and ignominious end of Nicolae Ceausescu's regime—"and they keep finding dummies to give them money." Indeed, it may still work: Unless a tough U.S. approach prevents it, this latest extortion may not stop or slow Japanese and South Korean aid to Pyongyang; it may even accelerate it.

Given the North Korean regime's real interests and our limited options, continued standard diplomacy will likely bear a maddening resemblance to the inspection charade we have experienced in recent years in Iraq: We will wish to put the screws to North Korea, to tie all future aid to the verified deconstruction of its weapons-of-mass-destruction programs, both old and new. But since the North Koreans know that the United States lacks a credible option to use force, Kim Jong Il will not agree to or, at any rate, abide by any deal that deprives him of his military ace in the hole. He is likely to emulate Saddam's bleat-and-cheat strategy, even as North Korean engineers keep doing what they do best. Meanwhile, as the North Koreans hone the charm-extortion dialectic, our allies will forget their anger as they remember their vulnerability. Which means we will get nowhere, not fast but slowly, which is even worse.

So if war is unwise and diplomacy as usual is unpromising, what is left? The answer is that a problem of the magnitude now posed by North Korea requires thinking on a larger scale than that typified by the Agreed Framework. We first need to know what we want, and what we should want in this case is not a non-nuclear North Korea, or even a reformed North Korea, but no North Korea at all—e.g., its gradual reunification with South Korea. To this end, we should undertake a great-power diplomacy not entirely unlike that which brought about the unification of Germany. There is a decent chance, in this case as in that one, that we can achieve it without war.

The four powers around Korea—Russia, Japan, China, and the United States—should join to put a modulated end to the North Korean state by denying it all aid, except aid with tight



CHRISTOPHE VORLET

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strings attached that is aimed at gradually shifting its sovereign prerogatives into South Korean hands. For example, all food aid (which Pyongyang currently receives from Japan, South Korea, China, and the United States) and technical assistance to North Korean agriculture (currently supplied by the United Nations) could be tied to agricultural-sector reform overseen by an ad hoc four-power technical group, with nongovernmental South Korean participation. Energy-sector aid (the United States provides Pyongyang with 500,000 tons of fuel per year and under the Agreed Framework planned to build it two light-water nuclear reactors) could also be conditioned on a new four-power technical analysis of North Korea's overall energy requirements—an analysis whose logic would require the connection of North and South Korea's electricity grids, built up to South Korean specs. Korea's public health care inadequacies can be remedied in similar fashion. Any aid to infrastructure development could be predicated on elements of North Korea's army being devolved into a "corps of engineers" and other paramilitary functions that would be joined in the field by international consultants, with South Korean NGO participation.

The common denominator in all this would be to quietly and gradually divest Kim Jong Il's government of control over key areas of administration, even while the quality of services for North Koreans improved, and to integrate South Korean personnel and assets into the process as far as is practical. The external governmental profile in all this should be kept low, and the public diplomacy theme throughout should be along the lines of "building a unified Korea," something no Korean patriot could oppose. The North Korean leadership could take credit for progress so long as its actual control on the ground is being diffused, first to symbolically indistinct international custodians, and then, ultimately—as practical points of no return are reached in successive functional domains—to South Koreans.

What would South Korea get out of such an arrangement? The eventual, but not too painfully sudden, demise of its main security threat, as well as ample U.S. and Japanese aid in absorbing the North over an extended period. What would North Korea get? Its people would get a chance to live a normal life, which for many would mean not having to face the specter of starvation. Its government would get a decent burial, over a long enough time for its principals to save face (and escape criminal prosecution). Since such a great-power arrangement would deal with several regional issues (of which there are more below), and since symbols can be arranged to suggest Pyongyang's voluntary association in Korean reunification, it would not appear to be a *diktat* to North Korea. Obviously that alone would produce voluntary North Korean acquiescence, but the point of this arrangement is to leave Pyongyang no choice—for it knows that without any external aid to its economy it is doomed sooner rather than later, either to complete economic and social collapse or to a forced reform process it cannot control. The carrots should be many and visible; the stick should be large but out of sight of polite company.

THE KEY TO such an effort would be the coordinated involvement of the four powers—powers that have distinctly different agendas in the region. But the gradual and peaceful reunification of Korea would greatly benefit all of Korea's neighbors. The United States would end the still-dangerous division of the Korean peninsula. Any arrangement could and should also prevent the nuclearization of a unified Korea, a task that would require a continuing—though diminished—U.S. military presence there. As important, by promoting the core national interests of other powers, the United States can help legitimate its own preeminent global status—emphasizing the attractive rather than the repellent qualities of its vast power.

Which interests? Japan would get a guarantee of Korea's non-nuclear status and an escape from the otherwise endless dilemma of what it would do should a war erupt there with U.S. forces on its territory. A great-power deal should also broker a true end to World War II, including the return of the Kurile Islands from Russia. A side agreement should also fix a stable Sino-Japanese understanding over the disputed Diaoyutai/Senkaku Islands.

Russia would receive a significant sum of money—both grants and investments—from Japan and a special economic zone in North Korea for a decade or more. This would help Russia build up the infrastructure of its underdeveloped territories in the Far East—including its much-desired link between the Trans-Siberian and the Trans-Korean railroads—and thus prepare itself for an economic boom in that resource-rich region. Russian security would also benefit from the non-nuclearization of Korea, and co-chairing such a major diplomatic initiative would appeal to Russia's nostalgia for great-power status.

China is the major challenge to such a scheme, for Beijing still takes a paternal interest in North Korea's Communist regime and fears the unknown on its doorstep. But China has been alarmed in recent months by the refugee problem that North Korea's disastrous condition is causing, and North Korea's renunciation of the Agreed Framework must have darkened the skies over the Forbidden City. China badly wants a non-nuclear Korea, for that assures (as well as anything can) a non-nuclear Japan. A great-power deal would achieve that non-nuclearization and offer Beijing a degree of influence over the direction of the peninsula. That represents a major advance over Beijing's current situation—which amounts, in essence, to waiting for North Korea to collapse, start a war, or both.

A great-power compact would also phase out the U.S.-ROK Mutual Defense Treaty—which has defined the alliance between the United States and South Korea since 1953 and provides the basis for the 37,000 American troops stationed there—since the treaty's raison d'être (the North Korean threat to the South) would be brought gradually to an end. American forces in the region would be transformed in phases—tied to the devolution of North Korean sovereignty—into a stabilization operation mostly shorn of heavy weapons. China and Russia should favor this for two

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reasons. First, some U.S. military presence is necessary to underwrite the non-nuclear status of the peninsula. Second, it would simultaneously reduce U.S. military assets on their immediate peripheries but not require the withdrawal of all U.S. forces from Korea, which everyone understands privately is good for regional stability and trade. China's pride, too, can be assuaged if the United States were to first sign up Japanese and Russian support for such an arrangement; China is most reluctant to be isolated from the other major powers and, in such instance, would not face a baldly "made in the USA" proposal.

A great-power push toward Korean reunification is, of course, not risk-free. Rather than be managed into oblivion, North Korea might lash out in response—even, conceivably, with nuclear weapons. But that lashing out could happen anyway, and it would be far more dangerous in the absence of a prior great-power understanding. And without any prospect of support from Russia or China, North Korea would be less likely to lash out than otherwise. In the end, the Pyongyang regime would most likely end up like the proverbial frog in the medium-heat pot, gradually cooked before recognizing its plight.

Despite its inherent logic, achieving such a great-power solution to the North Korea problem would be far from easy. But if the administration takes seriously the third bullet on page one of its new National Security Strategy—"work with others to diffuse regional conflicts"—there could hardly be a more apt or urgent application at hand. The problem with U.S. policy in Northeast Asia over the past decade is that we have not thought on a level commensurate with our power and interests, and so we have wasted a ten-year opportunity to act decisively on North Korea while we could do so with the least risk. The United States, a superpower with a strategic predicament in Asia, should have done better than that. Now, after a North Korean sucker punch to our gut, we *must* do better than that. ■

Go ahead: demagogue Social Security.

Private Club

By JONATHAN CHAIT

REPUBLICAN CANDIDATES TALKING about Social Security privatization this year sound very much like Democratic candidates talking about Saddam Hussein: They avoid the topic at all costs. If, despite their best efforts, the issue does arise, they treat it as if it were a homicidal dictator—utterly abhorrent to their most cherished values. "I don't support privatizing Social Security," vowed Minnesota Republican Senate candidate Norm Coleman, who had previously supported the idea, "and I'll fight against anybody who would do that." And they piously insist that it is unfair to make it a campaign issue. When it was pointed out that New Hampshire Republican Senate nominee John Sununu had sponsored a privatization bill two years ago, he responded by accusing his opponent of trying to "score quick political points by scaring retirees." After Democratic House candidate Chris Kouri criticized his opponent, GOP Representative Robin Hayes, for endorsing private accounts, Hayes shot back, "I oppose any plan to privatize Social Security. It's silly for Chris to bring this up." Social Security privatization may not be a matter of war and peace, but as domestic issues go it is a defining one, central to our conception of what kind of nation we want to be. And on this question, just as the Democrats did on the war, the Republicans have dodged honest political discussion.

In one crucial respect, though, the Republicans' Social Security evasion is more dishonest than the Democrats' Iraq evasion. In order to escape a protracted debate that might raise doubts about their foreign policy bona fides, Democrats swallowed their private misgivings and signed onto a use-of-force resolution. Few Republicans, by contrast, have made any substantive concession on privatizing Social Security. They continue to support President Bush's proposals to privatize Social Security. They simply insist that these proposals do not constitute "privatization."

The genesis of this strategy can be found in a memo written two months ago by the National Republican Congressional Committee explaining that, since voters disdain the term "privatization," candidates must not allow either their opponents or the media to use the word unchallenged. "It is very important that we not allow reporters to shill for Democratic demagoguery by inaccurately characterizing private accounts and 'privatization' as one and the same," the memo urged. The argument for this differentiation is that, under the Republican plan, individual accounts would remain under government control rather than being invested through private brokers. "Personal accounts are not privatization," a White House official told *The Washington Post*. "You would be simply directing the government to invest some of your savings."

This hastily contrived distinction depends upon heroic feats of historical revisionism. In fact, Republicans have described turning Social Security over to individual control as "privatization" since the idea's very inception. As late as two years ago party loyalists like Karl Rove used the terms "personal retirement accounts" and "privatization" interchangeably. ("On Social Security privatization, encouraging private personal retirement accounts, [Dick] Cheney was for them," Rove explained to CNN on August 13, 2000.) Now the entire Republican apparatus has turned on a dime, castigating Democrats and reporters for using the very term they themselves consistently used not long ago. (Even the supposedly independent Cato Institute, which designed Bush's Social Security plan, has dutifully changed the name of its "Project on Social Security Privatization" to the "Project on Social Security Choice.")

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There's good reason that friend and foe alike once referred to individual accounts as "privatization": Such accounts would transfer the risk of retirement security—that is, the essential function of Social Security—from the public to the private individual. Whether those individual accounts are invested through the government or through a private broker is a relatively unimportant detail. But even by this post-hoc, hairsplitting definition, Bush's plan *still constitutes privatization*. That's because once the personal accounts reach a certain level workers might be given the option to move them from a government-run account to a private broker.

But as anyone familiar with the Republican Party's Orwellian efforts to redefine the estate tax as the "death tax" and school vouchers as "opportunity scholarships" could have guessed, this intellectual dishonesty hasn't kept the GOP from browbeating much of the media into accepting its preferred terminology. Several radio stations have actually refused to run ads criticizing Republicans for supporting privatization. The more typical reaction has been a studious evenhandedness. Consider how the Minnesota papers have covered Coleman's fervent repudiation of "privatization." Voters have been treated to headlines like "CANDIDATES POUND EACH OTHER WITH SOCIAL SECURITY CLUB." A story in the *Minneapolis Star Tribune* observes, "In fact, neither campaign has told an outright lie. They are snarling past each other, in a way that sheds more heat than light, because they disagree on the meaning of the word 'privatization.'" The issue has thus been drained of its ideological content and reduced to an impenetrable, niggling dispute over semantics—which, from the GOP's point of view, was the entire point of the exercise.

Republicans justify their prevarication, at least implicitly, with the claim that at least they have the guts to tackle the issue. "I am sick and tired," scolded North Carolina Republican Senate candidate Elizabeth Dole, of "those who put no ideas, on the table, putting their heads in the sand." Democrats, echoed Sununu, "offer no plan, no ideas, and no leadership." It's certainly true that the Democrats don't have a plan to save Social Security. And if the Republicans did have such a plan, then perhaps accepting the moral burden of shoring up Social Security would entitle them to a bit of protective misrepresentation. But in fact they don't have a plan that in any way addresses Social Security's looming fiscal crisis.

The Republican position is best embodied by a set of proposals put forward by George W. Bush's handpicked "Commission to Strengthen Social Security." The commission drew up three plans that establish individual accounts. One of them did not even purport to close Social Security's long-term financing gap. The other two plans did so only by assuming that more than $2 trillion will be transferred into the program from other revenues. Unfortunately, as even casual observers have noticed, the non-Social Security budget is in deficit and will likely remain that way for years to come. So good luck finding that $2 trillion. And, in any case, claiming that you have solved the problem of Social Security's eventual insolvency when your solution requires coming up with $2 trillion from somewhere else is more than a little disingenuous. It's a bit like saying you plan to pay off your credit-card debt by inheriting a fortune from an as-yet-undiscovered, long-lost millionaire relative.

HOW TO SAVE Social Security and whether to privatize it are completely different questions. The first is a matter of simple accounting—raise taxes, cut benefits, change the age at which people become eligible, change the way benefits are taxed, etc. Whatever solution is ultimately adopted, it will involve allocating pain—somebody will wind up paying more or getting less. The sooner we allocate that pain, the less concentrated it will be. Still, we have a good 40 years until the trust fund runs dry. It's easy to get worked up about the prospect of Social Security insolvency, but Herb Stein's Law—named after the former Nixon economist—held that "any trend that can't go on, won't." Eventually, pressure will build to trim benefits or raise taxes enough to balance the books. Historically, this happens when Republicans and Democrats hold a political cease-fire and agree to some sort of nonpartisan plan.

A nonpartisan solution to Social Security's fiscal woes will be all but impossible, however, as long as Republicans remain fixated on privatization (or "personal accounts" or whatever euphemism they come up with next). There is always a certain earnest school of thought, which holds that Democrats ought to rise above petty caviling and propose a plan of their own to save Social Security. But given the GOP attachment to privatization, that would probably be the worst thing they could do. In fact, petty caviling on Social Security is exactly what the country needs from the Democratic Party right now.

The central rationale for privatizing Social Security is to transform the program from one in which the government bears responsibility for insuring against old-age poverty into one in which individuals bear that responsibility. Its advocates, though, have instead presented it as a way to keep the program solvent. The fallacy here is pretty simple. Right now Social Security taxes go to pay benefits for current retirees or to help pay for other government programs. If you allow people to keep some of their tax dollars in private accounts, then either the government has to run a bigger debt or else people's benefits have to be cut. In the long run, of course, they'll have to be cut anyway. But establishing private accounts means they'll have to be cut more and sooner.

Republicans, though, present the establishment of these accounts as an *alternative* to cutting benefits. Economist and Republican adviser Martin Feldstein touted Bush's proposal in an op-ed titled, "BUSH'S ALL-GAIN, NO-PAIN RETIREMENT PLAN." This is a calculated ploy: Rather than having to defend privatization on philosophical grounds, it allows Republicans to present it as a pain-free technical fix to Social Security's deficit. What privatizers want more than

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anything else is to conflate saving Social Security and privatizing it into the same discussion. For Democrats to answer a privatization plan with a plan to save the program would be to walk into a trap. On the one hand you'd have Democrats offering nasty benefit cuts or tax hikes. On the other you'd have Republicans offering yummy new savings accounts and no painful choices at all. Who do you think would win that debate?

The debate that needs to take place now, then, is between Social Security privatization—the actual idea itself, not merely the word—and leaving the program in something resembling its current form, a communal obligation that pools individual risk. It's only after that debate is resolved that Democrats and Republicans will be able to get to the unpleasant task of fixing Social Security's fiscal problems. The current partisan sniping over privatization may be crude, shrill, and tiresome. But right now it's exactly the debate we need to have. ■

The new British invasion.

Trash Pickup

By ANDREW SULLIVAN

WHEN VISITING BRITAIN last February, I was struck by the number of people who were awfully late for my sister's fortieth birthday party. When I mentioned this to her, she seemed unfazed. "Oh, it's the finale for 'Pop Idol' tonight," she explained. "The whole country is watching." "'Pop Idol'?" I asked. I was treated to a breathless account of the talent-search TV phenomenon that had racked up record ratings in the gloom of the British winter. By the finale, it was hard to find any other news in the British tabloids. "You wait," my London friends confidently informed me the following week. "It'll go over there soon. Our crap television always does."

Sure enough, just a few months later, the United States endured "American Idol," a direct copy of the British series and as stunning a ratings success as the original. It followed fellow imports "Who Wants To Be A Millionaire" and "The Weakest Link"—both lowest-common-denominator entertainment lifted directly from British television. And there's more to come. The latest cheesy British mega-hit is "I'm a Celebrity—Get Me Out of Here!" a "Survivor"-"Hollywood Squares" hybrid that sends celebrity has-beens to desert islands for reality-TV showdowns. Brace yourselves for the spectacle of Suzanne Somers and Victoria Principal trying to spear a wild hog.

It's something of a cultural turnaround, this British dumbing-down of the United States. Though the trend has been gaining momentum for years, it still hasn't quite been recognized by Americans. Old brands, after all, die hard. And there are few things more dear to Americans than the notion of Britain (or, more accurately, England) as a halcyon place of tea, crumpets, and generations of aesthetes who went to tony private schools and know much of Shakespeare and Milton by heart. In this cranny of the American psyche, the English are eternally polite, classy, reliable fuddy-duddies. The image is kept afloat by stray, elevated English exports that always find a market and appeal particularly to culturally insecure Americans—*The Economist*, any film by Ismail Merchant and James Ivory, the Harry Potter novels, *The New York Review of Books* pieces by Simon Schama, a new PBS production of *The Forsyte Saga* (now breathing new life into that flagship of civilized Britannia, "Masterpiece Theatre"). But in the last decade or so, as British society has morphed into a free-market melting pot of cultural brashness, these upmarket products have become the exceptions. The most powerful British influences on American culture today are ferociously crass, unvarnished, unseemly—and completely unapologetic about it. They are, in fact, one of the latest assaults on what was once quite a civilized country.

Television is the most glaring example. The salient elements of "Who Wants To Be A Millionaire," one of the first of the recent Brit imports, were the extremely dumb questions—often related to the ephemera of entertainment culture—and the ruthless weeding-out process. Most quiz shows rely on these elements to a certain degree, but "Millionaire"'s genius was to ratchet up the crudeness and stupidity several notches. The money at stake was far higher than in all previous game shows and the sets and staging far more aggressive. With spotlights swirling around the sci-fi stage, the show looked like a cross between "Family Feud" and "Starlight Express." The game-show format, of course, couldn't be more American. But the Brits took that traditional formula—middle-class, comforting shows like "Wheel of Fortune" and "Jeopardy"—and turned it into self-loving, massively overproduced camp. If you don't recognize the essential Britishness of this formula, I have three words for you: Andrew Lloyd Webber.

Close on the heels of "Millionaire" came "The Weakest Link," which added a new wrinkle (subsequently picked up by "American Idol"): Its British host, Anne Robinson, was presented not as a genteel, erudite tutor but rather as a rude, sarcastic jerk. It is, in fact, a more honest portrayal of the

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contemporary United Kingdom. Americans are still a polite people—a fact obscured, I'll concede, when you visit New York City but nonetheless true overall. One of the main cultural adjustments I have to make when visiting London, after living in the United States for almost 20 years, is to prepare for general rudeness. Brits these days are blunter, cruder, and drunker than most Americans. It makes for a coarser, livelier public culture. (Have you watched the boorishness of the House of Commons lately? Or looked at a British tabloid?) Americans, by contrast—especially in this hypersensitive, culturally diverse era—are desperate to steer clear of confrontation and avoid putting others down publicly. That's why "The Weakest Link"'s Robinson was merely an amusement in Britain but almost a shocker here in the United States. One of the cardinal rules of the American game show was that its host be a benign male creature, offering hearty congratulation to winners, gentle support to losers, and prizes all around. "The Weakest Link" pioneered the reversal of this archetype: Instead of a blow-dried, brown-suited, well-toothed male, you had *The Prime of Miss Jean Brodie* riding herd on nervous and ignorant amateurs. The formulaic tables had been turned, and the sadistic results provided riveting television. It wore thin quite quickly, of course. But another taboo of American civility had been broken.

It's important to note here that Robinson was not exactly a sophisticated conversationalist. Her insults weren't witty or classy or dry, as traditional Anglophiles might have expected. They were crude, blunt, and coarse, as much of British culture now is. And Robinson smoothed the terrain for one Simon Cowell, the British record executive who this past year served as one of the three judges on "American Idol." Cowell's trademark was reducing jittery auditioners to tears with his brutal putdowns of their acts. As earnest young Americans paraded into audition studios, Cowell would scowl, splutter, and emit sighs of disdain. And once they'd finished their numbers, he'd let it rip. Again, his comments were not urbane or clever; the words "awful," "hopeless," and "loser" tripped effortlessly off his tongue. As the series progressed, Cowell's insults began to overshadow the would-be performers. People tuned in to watch the show as much for his putdowns of the losers as they did for the selection of the winners. In mainstream American culture, where cutthroat competition is usually supplemented with uplifting bromides—where no one is a loser anymore—this was a fresh, radical concept. Not to mention, enormously popular. And highly New Brit.

IT'S NOT JUST television. The U.S. print media have similarly received the gospel of brutishness from a host of British missionaries. Some of the big tabloids, such as *Star* magazine, are now largely run by Brit imports. Their emergence as serious players in breaking political scandals—from the Gennifer Flowers scandal to Jesse Jackson's sexual travails—rests on a quintessentially British tabloid tradition: They pay for stories, they have no respect for anyone's privacy, and they have a serious knack for writing about what interests people.

In Britain this tradition of bawdy, rude, no-frills media has a long pedigree. But for decades it was contained within its own class boundaries by the social controls that hemmed British culture in. There were, until relatively recently, only four major British TV stations and a tightly regulated and

HARRY CAMPBELL

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restricted radio market. This kept the highbrow gatekeepers of British culture in charge. But today, in the deregulated, post–Margaret Thatcher media universe, there are dozens of TV and radio options—cable, satellite, Internet, and other offshoots of BBC and old-line media companies—all vying for market share. Newspapers are just as varied and highly competitive, giving London's press an almost eighteenth-century liveliness, in contrast to the staid and stuffy monopoly newspaper tradition in the United States. When you supplement this media explosion with an equally profound shift in the shape and tone of British popular culture, you begin to see how the new Britishness has become so influential.

Nowhere has that influence been more apparent in recent years than in the U.S. market for men's magazines. Not so long ago the men's-magazine market in the United States was stable but relatively small: *Esquire* and *GQ* at the (relatively) highbrow end, and *Playboy* at the more salacious end—and going rapidly down the cheesecake slalom from there. As media journalist David Carr recently wrote in *The New York Times*, "Then came the British publishers. They attacked the American market by mating the bawdy Fleet Street tabloid tradition to the untethered humor of Monty Python and conjured something truly new—must-read magazines like *Maxim*, *Stuff*, and *FHM* for the Gen X and Gen Y young man. They captured nearly five million new American readers, virtually all men and all lost to American publishers." This kind of coup rarely happens in magazine journalism, and it says something about how Brit-receptive American culture has become. True to form, the new media Goths don't exactly see themselves as custodians of an elevated journalistic tradition. In a speech to students at the Columbia School of Journalism, Keith Blanchard, the editor-in-chief of *Maxim*, ridiculed those American editors who "see themselves as keepers of the flame of culture. . . . As a class, they believe it's their right, nay, their sacred duty as the informed elite to use their pages to educate and uplift a nation of irrelevant drones." A brief look at the September 2002 issue will testify that he hasn't made the same mistake. Above its banner is the following list of subjects: "SEX. SPORTS. BEER. GADGETS. CLOTHES. FOOTBALL." The only article of any length is a racy account of warfare between Hell's Angels and their rival gangs. And the closest it gets to "new man" sensitivity is the following quiz: "ARE YOU A GIRL? TAKE THIS QUIZ AND FIND OUT, NANCY!" Needless to say, it's one of the fastest-growing magazines in the United States.

But lowbrow as *Maxim* may be, it's hard not to be impressed by its energy, humor, and irreverence. It reads the way most men speak in private, without the forced and awkward heterosexuality of the more upscale men's mags—their pretensions to literature, their cloying celebrity profiles. It's refreshing to read a Q & A with a sexy film star that begins with the sentence, "There are far worse visions to see upon arriving at a Malibu beach house than Lucy Liu in a micro-size white bikini sprawled on the sand out back." Or another Q & A with LL Cool J that begins quite simply: "Just how many hats do you own?" Or another questionnaire that offers to answer the question, "ARE YOU AS DUMB AS YOU LOOK?" This is the new British subculture that you see in the movies of, say, Guy Ritchie, Madonna's husband (I'm not including his direction of the latest Madonna vehicle). It is fast-paced, highly visual, working-class, anti-p.c.—and often very funny.

THE PERFECT EMBLEM of the new Britishness, however, isn't *Maxim* or "The Weakest Link," "American Idol," or the *New York Post*. It's Ozzy Osbourne. The long-since-addled rocker's popular reality show, "The Osbournes"—in which viewers observe him and his deranged family trying to deal with everyday life—is centered on Ozzy's personality. And while you never forget he's British, Rex Harrison he ain't. He's offensive, a terrible influence on the younger generation, a man who has consumed more illicit substances than most of us have ever heard of, and a purveyor of ear-splitting cacophony.

He's also irresistible. And the reason for this, I'd hazard, is his complete honesty and lack of concern for what anyone else thinks of him. He's completely integrated into the cultural establishment—wowing the crowds at the White House Correspondents' Dinner and performing for the Queen at Buckingham Palace—but is a deeply anti-establishment figure, a man who could break the rules at any time. He says what he thinks and is utterly without piety. In this respect, he echoes his New Brit peers. Say what you like about Tina Brown, the erstwhile editor of *Vanity Fair*, *The New Yorker*, and *Talk Magazine*; for all her faults, she never passed herself off as some grand crusader for social justice or great journalism, as understood by Columbia J-School types. She was an impresario of entertainment that could include, but was not exclusively geared toward, writing-for-the-ages journalism. Reading her magazines or watching Ozzy or listening to Cowell berate teenybopper wannabes, the one thing you don't feel is that you're being condescended to. Try watching PBS or reading *GQ* or listening to Peter Jennings, and you'll see what I mean.

Of course, this Britishness becomes, like so many cultural imports into the United States, effortlessly churned into a new American hybrid. Ozzy and Tina and "Pop Idol" and *Maxim* are not British in anything but a tangential sense anymore. They're American. In time, these cultural mixtures will surely migrate back to Britain where they will become another thing entirely. And some British cultural exports are Americanized almost as soon as they arrive here. The Harry Potter movies are a case in point, their literary polish sandblasted away by Hollywood upon impact. And what to make of *Austin Powers*? It's a Canadian comic's homage to a British movie tradition marketed primarily to Americans. But what it has in common with the other recent British imports is that it doesn't even pretend that Britain is somehow the repository of culture or learning or sophistication anymore. It's people with bad teeth, awful chest hair, and inscrutable slang. And we've never loved them more. ■

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Stanley Kauffmann on Films

Grace Under Pressure

IN *CINEMA OF PARADOX*, her invaluable study of French filmmaking during the German occupation, Evelyn Ehrlich writes:

> Amidst the despair of military defeat, the French cinema needed to prove to itself and to the world that France was not dead. To go on making movies of substance and stature was to affirm that the French spirit had survived. During the four years of German occupation, the French produced more than 200 feature films. Many were enduring works of art that continue to be viewed and discussed today.... A relatively liberal film policy met the Germans' immediate needs to pacify the French.

This odd situation is the subject of Bertrand Tavernier's **Safe Conduct** (Empire). There is no such person as the most French of modern French filmmakers; still, it is not bothersome to think of Tavernier that way. He has spent much of his directing career, which began in 1973, in two ways: relishing the fact that he is French and slashing at French injustices, shortcomings, and stupidities. He began with a gem, *The Clockmaker*, and, among many others, he has since made such unique and excellent films as *Let Joy Reign Supreme*, *The Judge and the Assassin*, and *It All Starts Today*—all of them exceptional cinema, all very loving and angry. Yet, curiously enough, this new picture about the occupation years is less critical of his countrymen.

With the usual penetrating hindsight, we can see that the subject of French film under the Germans was inevitable for Tavernier. He was born in 1941 (his father was the poet René Tavernier), and he matured in the company of film people of that period. In fact, when he came to make *The Clockmaker*, he engaged the screenwriters Jean Aurenche and Pierre Bost, who had worked together through the war years. After Bost's death, Aurenche continued to work with Tavernier. The director certainly heard and absorbed much about the early 1940s from them and others, and it seems natural that he would want to treat a period that included some of the best and some of the strangest elements in French film history.

Aurenche is one of the two leading characters in *Safe Conduct*. (The man himself died in 1992.) In this screenplay by Tavernier and Jean Cosmos, Aurenche is portrayed—accurately, we must think—as a high-spirited, casually industrious young screenwriter whose mode of defying the Germans, besides abstaining from pro-German subjects, was to live as pleasurably as possible. In the first sequence, which takes place early in 1942, the proprietor of a small Paris hotel hustles other guests out of sight so that a glamorous film star can arrive discreetly for a rendezvous with Aurenche.

Contrasted with Aurenche is Jean Devaivre, a young assistant director (whom Tavernier knew decades later). Devaivre, married and a father, is perilously involved in the Resistance. Both of the young men work for Continental Films, a company that, as everyone knows, is German-financed. German supervisors are in the offices and often in the studios, but they are clever enough not to impose pro-German propaganda on the films that Continental makes: they are concerned chiefly with production schedules and expenses.

The account of Aurenche's extraordinary ability to remain free-spirited eventually winds to a secondary place in the film. Precedence goes to Devaivre's exploits with the Resistance, which he manages while maintaining his studio job. But the real story, the real center of the film, is its atmosphere. Ehrlich's "paradox," the fact that these men and women managed to keep film going under the Germans despite the conquerors' presence—and in a certain bitter way because of it—is the core of the picture. People whose names ring for anyone acquainted with the period are involved to one degree or another—Bost, Tourneur, Clouzot, Autant-Lara, Delannoy, Cayatte, Le Chanois (who eventually is arrested when the Germans discover that not only is he a Communist, but his real name is Dreyfuss). I missed Marcel Carné, who made what is generally considered the best film of the period, one of the best of all French films, *Children of Paradise*.

Know these names or not, the picture is rich. Small and larger touches nourish it. An assistant runs onto the studio floor when German officials are arriving to gather butts in an ashtray so the officials won't know that the French have cigarettes. Then there is Charles Spaak, who co-wrote *Grand Illusion* with Jean Renoir in 1937 and is now working for Continental. Spaak is arrested in 1943 because his brother is in the Resistance and the Gestapo wants information. Thus in a wartime cell sits the co-author of an antiwar masterpiece. But there is more to this incident. Spaak was in the middle of a screenplay, and, as Ehrlich quotes him: "One day two members of the Gestapo appeared, asking me very politely if I would finish work [on the screenplay]. I asked for several things—food, cigarettes, books. They agreed to all my conditions. Every three days, through the bars, they came to collect 3 or 4 pages of the scenario." Tavernier makes the most of it.

The cast could not—one could almost say need not—be improved. Jacques Gamblin as Devaivre and Denis Podalydès as Aurenche enliven their characters. (Only one question about the casting: I wonder why Tavernier chose two actors who resemble each other rather closely.) Marie Desgranges charms as Madame Devaivre, and Marie Gillain is nicely kittenish as that French-film standby, the bordello girl with the heart of gold. Apparently she was really in Aurenche's life, though he might not have accepted her in one of his scripts.

Tavernier directs with a surety so quickly apparent that it is in itself a pleasure. Speed without rush is the hallmark of his work here—many tracking shots, much succinct cutting. The speed was needed for at least one reason: the picture runs one hundred seventy minutes as it is. It never drags, but it sometimes distends. Some of the sequences along the way are not essential. (Devaivre's bicycle accident, for instance, and his conversation with the truck driver who helps him. The plot detail discussed could have been handled otherwise.) But the whole film is so confidently accomplished, and with such savor, that it would almost be a pity to lose the incidentals.

I know of no other picture on this sub-

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ject. (François Truffaut's *The Last Metro* deals with a Paris theater under the occupation and, despite its plot complications, is superficial.) *Safe Conduct* is subtle yet clear, empathic yet rigorous, as it dramatizes the basic paradox: to make the occupation seem beneficent, the Germans wanted French films to prosper as French films. None of those films, says Ehrlich, "provided any direct support for the Germans." Those who now think that these film people should have stopped work in order to impede the German state must also consider whether doctors and plumbers and teachers should also have stopped work for the same reason. Tavernier seems to proceed from this point of view, without evasion but with comprehension. And suffusing it all is his almost palpable love of the very world of French film. This picture deals with one period of it, he might say, that's all. ■

The Information

By TONY JUDT

Koba the Dread: Laughter and the Twenty Million by Martin Amis

(Talk Miramax Books, 306 pp., $24.95)

MARTIN AMIS IS an English novelist, son of the better-known Kingsley Amis. Sixty years after the publication of *Darkness at Noon*, fifty years after the appearance of *The God That Failed*, forty-six years after Khrushchev's "secret" speech, thirty years after the translation into English of *The Gulag Archipelago*, and thirteen years after the end of the Cold War, he has taken it upon himself to reveal the crimes of Joseph Stalin. The result is a bizarre, self-indulgent essay that tells you as much about its author as about the tyrant ("Koba") himself, and more than you probably wanted to know.

Amis's stated purpose is twofold: to demonstrate by dint of copious example the crimes perpetrated by Stalin and Lenin, and to meditate upon the curious fact that British intellectuals of his acquaintance are not horrified by these crimes, as they are by Nazi crimes. Until quite recently, he observes, they were airily apologetic for the Communist project, if not for the Stalinist "deviation." People feel free to make jokes about Stalin, he suggests, in ways they would never do about Hitler; hence his subtitle. This is an important question, tentacular in its moral and historical implications, but it altogether eludes Amis's grasp, as we shall see.

As to the crimes themselves: Amis does a respectable job of illustrating once again the awfulness of the Gulag and the horrors of the induced famines, thanks to long quotations from Alexander Solzhenitsyn, Varlam Shalamov, and Robert Conquest in particular. Indeed, the quotations are the best thing about the book, and there are so many of them that it is tempting to say of *Koba the Dread* what was said of Stalin's *Foundations of Leninism*: that without them the book would consist of little more than punctuation marks. But this would not be quite fair. There is a lot of Amis in this book, much of it paraphrases and re-statements of those same quotations.

Amis appears impervious to the unwisdom of proceeding in such a manner. On a number of occasions, he cites a long paragraph from one of his sources and then re-formulates the point in his own words. This is an open invitation to the reader to recall that George Orwell, Arthur Koestler, Robert C. Tucker, Dmitri Volkogonov (the latter two authors of the leading biographies of Stalin), Conquest, Solzhenitsyn, and many, many others all said what Amis now wishes to say. They said it long ago, and they said it better. To be sure, the evidence can never be re-stated too often; and at least Amis acknowledges his sources, for the most part, thereby pointing readers to the books that they should have been reading in the first place. But

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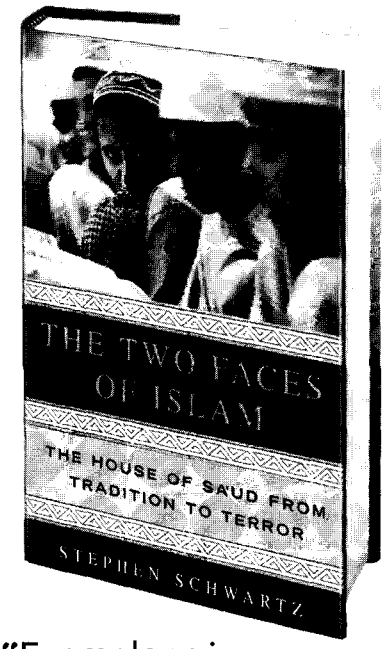

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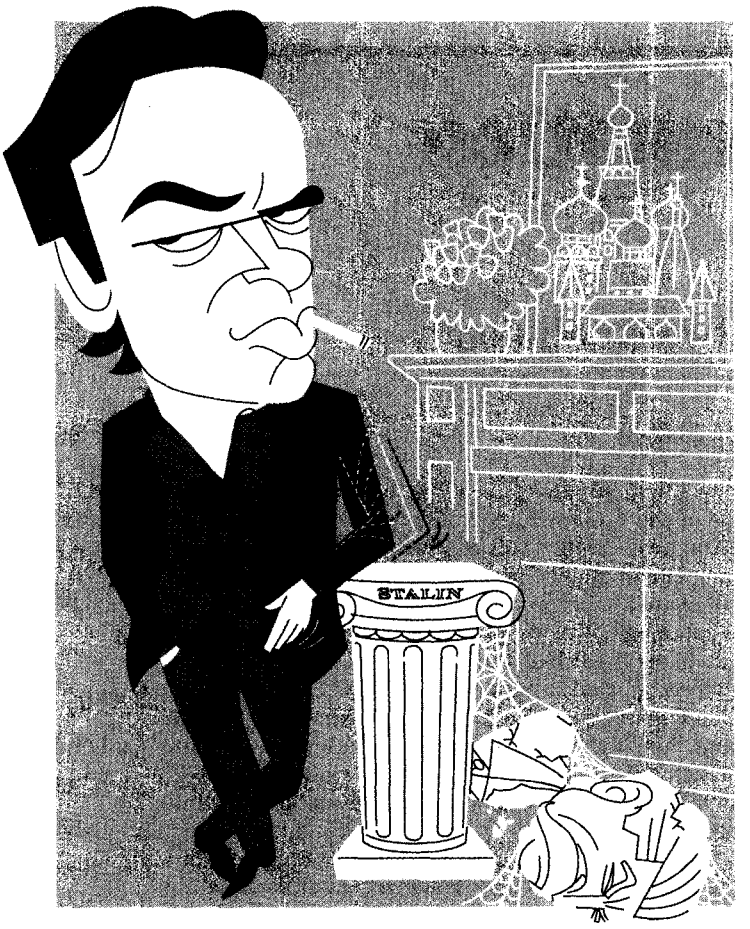
not always: the title of his book, and much else about Amis's theme—the link proposed on page 191 between laughter and terror, or the reminder on page 256 that the casual laughter of the British left today "is also the laughter of forgetting"—cry out for an acknowledgment to Milan Kundera, who is never mentioned. There are also unsourced quotations and references to unidentified witnesses.

This would all be neither here nor there if Amis had simply compiled an anthology of accounts of the Soviet way of murder. But he is ever-present among his quotations, and he is very intrusive. His lazy writing confuses the story—the book really does consist of little more than citations from others and self-regardingly clever aphorisms from Amis himself, sentence fragments loosely strung together through the stream of Amis's undisciplined consciousness. There is no attempt to present material chronologically. Thoughts hit the page as they occur to the writer, who every now and then jerks himself alert to tell the reader that "we had better deal here ..." with something or someone who might equally as well be dealt with somewhere else.

Indeed, the whole book could have been issued in a loose-leaf binder, permitting the reader to shuffle pages at will, without detriment to the argument. By the end you are more confused about Stalin's acts and his motives than you were at the outset. In part this is because Amis allows himself literary license at precisely those points where historians are most cautious. He "surmises" the tenor of exchanges about which we know nothing (between Stalin and his wife, for example), and he has no qualms about announcing that "I feel persuaded of Lenin's intention [to dispose of Stalin]," thereby resolving decades of scholarly investigation and dispute.

Amis's style inclines at times to embarrassing bathos. Thus, when describing how he feels when reading of the Gulag: "And your lecteurial love for Aleksandr Solzhenitsyn (at such moments you are tempted to reach for Aleksandr Isayevich) never more intense." (The sentence fragment is typical.) But he seems most at ease when cocking a snoot at his own milieu, especially those who, disliking Stalin and having reluctantly half-conceded Lenin to his critics, would still defend Leon Trotsky in the last ditch. To them, Amis announces: "More basically, Trotsky was a murdering bastard and a fucking liar." This is Amis's rhetorical comfort zone—his intellectual one too, one suspects. The tough-guy talk adds nothing to our understanding of the twentieth century, but it may shock Martin's pals.



Martin Amis by Zach Trenholm for The New Republic

And that appears to be the point, the real point, of the book. Not content with plundering some of the literature on Communism, Amis shamelessly re-directs it to his own person. *Koba the Dread* packages its account of Stalinism with recollections from Amis's adolescence; a "Letter to a Friend" (the publicity-mad Christopher Hitchens, in whose company Amis has been conducting nauseatingly self-indulgent exchanges of criticism and mutual admiration in the pages of the British quality press, the pair of them basking torpidly in the reflected glow of Stalin's crimes); a "Letter to My Father's Ghost"; and reflections upon the recent death of his younger sister. We learn that the young Amis, drunk, attempted unsuccessfully to seduce the daughter of Tibor Szamuely, an anti-Communist Hungarian émigré, and that when Amis's own infant daughter had screaming bouts he described these to his wife as like the screams of victims in Moscow's Butyrki prison, after which the child's family nickname became, poor girl, "Butyrki."

What are we to deduce from these and other painfully inappropriate snippets from the Life of Martin? That he brings to his subject guilt, atonement, engagement, filial ambivalence, and all the baggage of a middle-aged man questioning the political and personal shape of his life and affections heretofore? Well, don't we all. Amis's father was once a Communist and later a very vocal anti-Communist, and this book seems to play some part in the son's dealings with the paternal shade. But this is a tired story; and anyway Amis's personal trajectory adds nothing to the tale that he wants to tell, and appears to have vouchsafed him no particular understanding.

Worse, it soils his main theme. Since Amis cannot keep distinct in his own mind the horrors of the past century and the domestic travails of the Amis clan, and because he moves with disturbing insouciance from one to the other, his book is polluted. The great sufferings of millions of strangers appear to have been collated and presented for the author's personal purposes. I am sure that this is not what he thought he was up to; but the result is the same. Amis does exactly what he accuses Eric Hobsbawm and the British left intelligentsia of doing in their apologetics for Communism: he treats the suffering of others as a means to an end.

If he cannot see this, it is because Amis, on the evidence of *Koba the Dread*, is an extraordinarily vain man. The advance publicity for his book (contributed, apparently, by the author himself) declares that

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it contains "perhaps the best one hundred pages ever written about Stalin." This is precious—note the modest "perhaps"—and so far from the truth as to constitute misleading advertising. The book begins with the assertion that Amis felt impelled, after attending the New Year's celebrations at London's late, unlamented Millennium Dome, to shoulder his own millennial burden: "[A] day or two later I started to write about the twentieth century and what I took to be its chief lacuna." This ambition he then achieved in record time. Superior insight helps: Amis claims the ability to grasp "a sense of the moral life" of Lenin, for instance, from a reading of his prose (in translation). This must be a most useful gift when you are pressed for time.

Some challenges are harder than others, of course: of Stalin's well-known hatred for his older son Yakov, Amis acknowledges that "[i]t took me several days of subliminal work to accept this." This must have taken valuable time away from the "several yards of books" that Amis boasts of having read about Stalin and his era, but we are encouraged to believe that the effort was worth his (and our) while. In his "Letter to My Father's Ghost," Amis writes: "As father and son we have an unusual thing in common: 'we are both English novelists,' as you once put it, 'who are *some* good.'" American readers, note: when deployed thus by a Brit, "*some* good" is no mean compliment. We are being introduced to the horrors of the century in the sure hands of a writer of quality: *some* story, *some* writer.

How else but from vanity can one account for Amis's extraordinary assertion on page 257: "Everybody knows of Auschwitz and Belsen. Nobody knows of Vorkuta and Solovetski. Everybody knows of Himmler and Eichmann. Nobody knows of Yezhov and Dzerzhinsky. Everybody knows of the six million of the Holocaust. Nobody knows of the six million of the Terror-Famine." Nobody knows of Dzerzhinsky or the famine? Such a statement can mean a number of things. It can mean that in British intellectual circles the Soviet crimes are today less widely known than the Nazi ones. (This is true.) It can mean that our modern metaphors for evil draw heavily on what Germans did to Jews and draw a veil over ghastly horrors elsewhere. (This is partly true.)

Or it can mean that Martin Amis and his circle of friends at Oxford and London were willfully ignorant of Soviet history until recently, and he at least wants to make amends for this. This is certainly laudable, and regarded in the light of Amis's narcissism it probably accounts for the form of expression that so irritates the reader. But nothing can excuse the implied dismissal not only of the hundreds of books, articles, films, novels, and poems in English alone that have exposed Communism and its crimes, but also of the tens of thousands of men and women who read and saw and discussed and disseminated the evidence, and who did so long before Martin Amis was born.

Victor Serge anatomized the Kirov murder and its aftermath in 1948 in his novel *The Case of Comrade Tulayev* (first published in London in 1951), which I read in Penguin paperback in 1968. Boris Souvarine courageously laid bare the myth and reality of Stalin in his *Staline*, first published in 1936. Many of the greatest memoirs by survivors of trials and camps were published in English before Amis went up to Oxford. So just how significant does Martin Amis think he is? His sensibility in these matters is that of a four-year-old child: until something happens to him it has not happened, and when it does happen to him it is the most important thing in the world.

I DISLIKE THIS book intensely, but I take no pleasure in saying so. For Amis is on to something important; he just doesn't know quite what to do with it, and the shelf of books that he boasts of having read seems not to have helped. (Bragging about doing the reading that is required to write intelligently about a subject is anyway very strange.) Still, Western intellectual admiration for totalitarian regimes of the left—Amis confines himself to Stalin, but erstwhile enthusiasms for Mao, Castro, and lesser acolytes should not be forgotten—is a significant subject, and in the French and Italian cases it has generated a large literature from which Amis might have profited. But the British, and especially the British left, has not been much studied in this aspect, probably owing to the absence in England of a politically significant Communist Party.

The paradoxical outcome is that the Italians, the French, and others have devoted a great deal of time to analyzing and to disparaging their past enthusiasms—so much so that people in those countries sometimes need to be reminded why they held them—but the English have not. They have simply laid their enthusiasms and their illusions quietly aside and moved on. England is one of the last places in the Northern Hemisphere (together with pockets of American academia) where in mainstream intellectual and academic circles anti-Communism is bad form, where it is simply not done to insist upon the crimes of Lenin (Stalin

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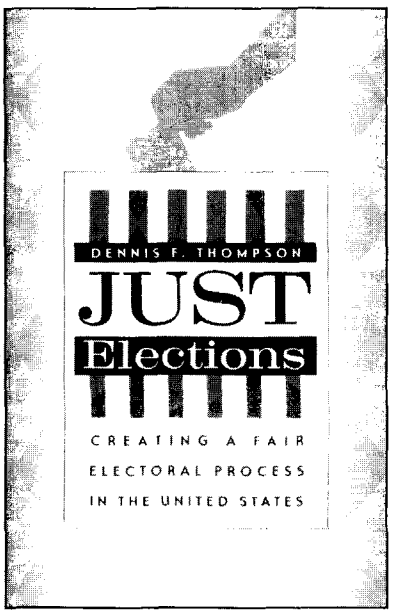

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is fair game), and where being of "the left" entails maintaining a certain polite silence about nasty things that once were done in the name of Progress.

But Martin Amis is sorely mistaken if he thinks that this can be changed by re-entering the crimes of Stalin, victim by victim, into the historical ledger. The question is not what you know: there is nothing, simply nothing, in Amis's book that was not widely known long ago to most people in the circles that I am describing. The question is also not when you know it: as I said, victims, observers, and historians have been at work disseminating these details for two-thirds of a century. The question is when you decide to acknowledge what you know—when you become accessible to the truths that you already possess, and to their implications for your behavior and your allegiances. This does not only apply to the reception of Communist horrors; the reception of the Holocaust has a comparable history.

The early post–World War I Socialists who refused to follow Lenin, who watched their former Socialist comrades split away and become Communists, and who then became the first victims of Communist violence—verbal or physical, depending on the country—knew everything there was to know about Lenin and his heirs. They knew it firsthand and they knew it in their bones. But this did not stop them from regarding Leninists as their natural allies in the great adventure of Progress and Revolution, as their *frères-ennemis*. They and their successors forbore for a very long time to condemn the crimes of Lenin and his successors for fear of giving aid and comfort to the (common) enemy. This did not change until shortly before the death of Communism itself.

In the English case, I doubt whether things will ever change. We are beyond the point where it matters politically what position someone took toward Communism in years past; and English distaste for moralized political debates favors a special kind of forgetting, whereby it is hinted that a certain sort of public conversation is no longer appropriate—when in fact it never took place at all. As it happens, the British mandarin class, in the universities as in government, was frequently tinged with sympathy for Soviet power. From H. G. Wells and the Fabians onward, the intellectual left recognized in the Kremlin something familiar and sympathetic: social engineering from above by those who know better.

In the technical details of this vast crime—the bloody methods, the human costs, the feelings and the opinions of those on the receiving end, the destruction and the incarceration of whole nations—they were largely uninterested, and in English circles such matters were rarely discussed. In the 1960s, a "progressive" intellectual in Paris, confronted with evidence of Soviet crimes, would typically invoke comparisons with American racism or South Africa, or else would resort to a sophisticated riff on the theme of means and ends. The same topic in London or Oxford or Cambridge elicited silence or an edgy joke, of the sort that is designed to defuse a remark made in poor taste.

THIS BRINGS US, finally, to Amis's other theme: the comparison between Stalin and Hitler. Amis tries hard to capture the difference on a number of occasions: "The distinction may be that Nazi terror strove for precision, while Stalinist terror was deliberately random." "Bolshevism was exportable, and produced near identical results elsewhere. Nazism could not be duplicated. Compared to it, the other fascist states were simply amateurish." One might add, though Amis does not, that Communist categories were fungible, because they were fake: anyone could be condemned as a "kulak," but if you survived the camps you might as readily cease to be a "kulak" if it pleased those in power. In Nazi Germany, by contrast, "Jew" was a real category, and the only way you stopped being a living Jew was by becoming a dead one. This distinction matters.

Still, the failing of all these distinctions is that they do not even begin to address the question that is nagging Amis: why are we not offended by ex-Communists, or those who still evince some nostalgic sympathy for the Communist project, whereas we execrate Nazi sympathizers and shun the company of ex-Nazis? As time moves on, this conundrum and its implications will become, I believe, the most important question to ask about the twentieth century and our relationship to it—as writers, as historians, as citizens. Amis gives up and simply aligns himself with Robert Conquest, who when asked which he thought the worse tyranny replied "Nazism" and when asked why said simply, "It feels worse." Well, Conquest has earned the right to such an answer, having done more than any man alive to show us why it is a legitimate question in the first place; but you need a better answer than that when you are asked, by someone who has been through the Gulag, to explain why we Westerners are harder on Nazism. "It feels worse" will not suffice.

A difference in motive is what most people finally adduce. Communism was ostensibly directed toward praiseworthy universal goals, and its crimes were long excused as the cost of doing business with History; and the same consideration is extended to its foreign admirers. Nazism, by contrast, was always about harming other people for German advantage, an unmistakably ugly and parochial objective. Once it narrowed itself still further, to the goal of mass extermination, Nazism's means and its ends became one. Sympathizers with Nazism, then or now, must be presumed to want those same means and those same ends.

There are other differences. Communism had an afterlife in the wake of Stalin. It is not an afterlife anyone would want to work for or defend from afar, and in some places (Romania, for example) the distinctively Stalinist features were actually accentuated. But it allows for the claim that Communism could change a bit, and this in turn provides space in which apologists for Communism can maneuver. Nazism had no such afterlife, and it is hard to imagine it having one. Anyone wishing to wriggle out of anti-Communism could point to Kádár or Dubček or Gorbachev. Hitler affords his apologists no such wriggle room.

THIS IS FAMILIAR territory. What is often overlooked, however, is that Western intellectual enthusiasm for Communism peaked not in the time of "goulash communism" or "socialism with a human face," but rather at the moments of the regime's worst cruelties: 1935–1939 and 1944–1956. Writers and professors and teachers and trade unionists admired and loved Stalin not in spite of his faults, but because of them. It was when he was murdering people on an industrial scale, when the show trials were displaying Communism at its most theatrically macabre, that men and women beyond Stalin's grasp were most seduced by the man and his cult. Likewise, the cult of Mao in the West reached its zenith at the height of the Cultural Revolution, just when—and just because—Mao was torturing writers, artists, and teachers.

So this is the real problem that Amis ought to be considering. Merely demonstrating again that Communism was profoundly evil will do nothing to convince its modern apologists of the error of their ways. Quite the contrary. It was the palpably malign quality of the Great Socialist Experiment, the absurdly large gap separating rhetoric from reality, that made it so irresistible to men and women of goodwill in search of a Cause. There is something diabolically seductive about great evil performed in the name of ulti-

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mate good, as Dostoevsky and Nietzsche, and even Goethe, would have grasped right away.

Evil in this guise appeals twice over: to the human craving to be led and to the Promethean dream of absolute authenticity—which is attained through suffering. (More precisely, through the suffering of others.) The devil has had the more interesting arguments at least since Milton, and Communism excited intellectuals in a way that neither Hitler nor (especially) liberal democracy could hope to match. Moreover, Communism was exotic. Raymond Aron in 1950 remarked upon "the ludicrous surprise ... that the European Left has taken a pyramid-builder for its God." But is it really so surprising?

That is why, though Communism and Nazism were both terrible, and terrible in quite similar ways, the young Amis—like countless others—felt no discomfort in excusing the one and execrating the other. I think it is why, in Conquest's words, Nazism "feels worse," and why it is pointless to rack up victim counts or the calculus of brutality in one's search for the factor that can account for our sensibilities. If we are going to make any sense of the twentieth century, this is the lacuna that we really must address. It is a subject for which we post-religious souls are woefully under-equipped. "The problem of evil," Hannah Arendt wrote wisely in 1945, "will be the fundamental question of postwar intellectual life in Europe—as death became the fundamental problem after the last war." For various reasons, the problem got postponed. But it is with us again, and it will not soon go away. ■

The New Old World

By G.W. Bowersock

The Culture of Classicism: Ancient Greece and Rome in American Intellectual Life, 1780–1910 by Caroline Winterer

(The Johns Hopkins University Press, 244 pp., $45)

In 1881, at Harvard's Sanders Theater, a glittering academic company presented a performance of Sophocles's *Oedipus the King* in an edition of the Greek text that had been scrupulously prepared for the occasion. Critics arrived from London and Chicago to sit together with Longfellow, Whittier, Emerson, and Henry James. George Riddle, who had acted with Edwin Booth, took the leading role. Among the younger performers were the future novelist Owen Wister, the future Shakespearean scholar George Lyman Kittredge, and the future composer John Knowles Paine. Although many critics raved, one Boston newspaper carried a letter that characterized the plot of the play as "foul and revolting." But the Reverend Edward Everett Hale rose to proclaim from the pulpit that Sophocles's drama was wholly compatible with the Christian faith.

This memorable patronage of classical culture fired an enthusiasm for Greek and Latin plays at universities across the nation. It erupted within the context of a dedication to the classics that had long been a powerful stimulus to art, politics, and morality in the United States. That dedication had taken various forms from the seventeenth century onward, but its intensity had never cooled. From the education of young ministers in the early days of Harvard College, which had been founded in 1636, to the civic ideals of the Founding Fathers and the deep classical learning of Thomas Jefferson and John Quincy Adams, authors such as Demosthenes, Cicero, and Virgil inspired Americans. Their new republic considered the old Roman republic its prototype, but as the nation matured and plunged into a savage internecine struggle, Greece emerged as the more potent model. The democracy of Athens inspired the North, and the slavery upon which it depended inspired the South. The Greek play at Harvard in 1881 emerged from a rich domestic heritage of classicism.

In her new book on this fascinating subject, Caroline Winterer interprets the Greek play and its successors as "a vivid illustration of classicism's transformation from preparation for civic duty to platform for private self-culture." That is far too simple. The artificial terminus of 1910 that Winterer imposed on herself only obscures what is going on. The growth of Hellenism in the United States closely paralleled a similar evolution on the other side of the Atlantic. In Europe, as in America, the Greek revolution of the 1820s had powerful repercussions. It caught the imagination of such poets as the British Shelley ("we are all Greeks") and the American Poe ("the glory that was Greece").

Travel in the Mediterranean countries fostered this new spirit and gradually moved both European and American thought away from "the grandeur that was Rome" (the other half of Poe's evocation). In Europe, Droysen's *Geschichte des Hellenismus* (1877–1888) and Grote's *History of Greece* (1846–1856) were among the many works that opened up a new world of Greek history and culture to replace the Rome of the eighteenth century. After all, the Grand Tour had included Italy, but not Greece or the Holy Land. Even the great eighteenth-century German art historian J. J. Winckelmann, who profoundly admired the sculpture of the Greeks and pointed the way for future study of classical art, never went to Greece. He worked and died in Italy. But the nineteenth century discovered the eastern Mediterranean. In 1812, the Swiss Johann Ludwig Burckhardt was the first Westerner in modern times to see Petra, and the American Edward Everett went to Athens and elsewhere in Greece in 1819, and the German Karl Otfried Müller went to Delphi to copy inscriptions in 1839.

The linkage of classicism in America with classicism in Europe is fundamental to understanding the whole phenomenon. Americans felt a combination of rivalry and envy toward their European contemporaries. This comes through eloquently in the reaction of the famous lexicographer Noah Webster to the last phase of the eighteenth century's obsession with Rome. Of the huge success of Gibbon's *Decline and Fall of the Roman Empire*, Webster wrote in 1794 that "in no particular is the false taste of the English more obvious than in the promiscuous encomiums they have bestowed on Gibbon as a historian.... Let a man read his volumes with the most laborious attention, and he will find at the close that he can give very little account of the Roman empire; but he will remember perfectly that Gibbon is a most elegant writer."

G.W. Bowersock is a member of the permanent faculty of the Institute for Advanced Study in Princeton.

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The nineteenth century saw this uneasy relationship between the old world and the new reinforced through the discovery of German scholarship, or *Wissenschaft*, which was gradually imported to America through translations of German textbooks and the teaching of professors who had been trained in Germany. George Martin Lane of Harvard took his doctorate at Göttingen with a thesis on ancient Smyrna, although he is best known today for lines of doggerel titled "One Fish Ball" (the antecedent of the mid-twentieth-century pop tune "One Meat Ball"). If Lane failed to sustain the high level of German classicism when he returned to the States, another American scholar, who studied in Berlin and took his doctorate at Göttingen, succeeded. This was the Southerner Basil Lanneau Gildersleeve, arguably the greatest of all American classicists and, significantly, an ardent supporter of the Confederacy.

Gildersleeve's deep knowledge of Greek had nothing to do with the American educational system. He learned Greek from his father, a Presbyterian minister, and he could read the Gospel of St. John in the original at the age of five. He acquired other languages with equal facility, falling in love with Goethe before traveling to the poet's homeland to sit at the feet of some of the greatest classical scholars of the century. When he returned to America, he embarked upon a luminous career, first at the University of Virginia and then at Johns Hopkins University, where he founded the first major classical journal to be published in North America. His commentary on Pindar's Olympian and Pythian Odes is still important today.

Gildersleeve always considered himself a man of the South, and during the Civil War he wrote an extraordinary series of fiery editorials for the *Richmond Examiner*. His voice, from inside the Confederacy, betrays a rare combination of zealous patriotism and deep erudition. His comparison, in 1863, of the Greeks' Peloponnesian War with the American struggle is still incisive. It ends with a chilling vision of a Southern victory: "As the walls of Athens were razed to the ground with the music of the flute, so the marble fronts of the Fifth avenue are to be levelled with the street with the notes of the banjo and the rattle of the bones." (Winterer lists Ward Brigg's superb publication of the *Examiner* pieces in her bibliography, but she has missed their power and their relevance for American classicism.)

America's embrace of nineteenth-century Hellenism took many forms, ranging from high gentlemanly culture to tough philological analysis. According to Winterer, Greek tragedy had not been much in vogue until the Harvard play of 1881: "The most frequently performed Greek tragedy in nineteenth-century New York City, for example, was Euripides's *Medea*, staged at least fourteen times between 1845 and 1881, both in Puccini's operatic form and in English translation." Opera plots are another matter altogether, and Winterer's tantalizing attribution of a *Medea* to Puccini is a delectable error for a work by Pacini. Harvard's play was something totally new. It was performed in Greek, and with a text and a staging that at least purported to be authentic.

Above all, the Harvard production was a response to a challenge from abroad. In 1880, Balliol College at Oxford had mounted a production of Aeschylus's *Agamemnon* in Greek. This production was itself a part of a growing interest in classical theatricals at the time, and it was the explicit inspiration for the Harvard *Oedipus*. The American play was not only a great social success. It also raised the banner of international scholarship through its newly edited text and the authenticity of its production. Private self-culture had nothing to do with it, but public self-representation certainly did, not only within America but with reference to Europe.

THE GREEK PLAY was to have a long history. After the architectural firm of McKim, Mead and White designed the Harvard Stadium, the rounded classical proportions of its closed end were soon pressed into service, in June 1906, as an amphitheater for an elaborate production of the *Agamemnon*. This grandiose affair, somewhat damped by drizzly weather, attracted almost as much attention as the *Oedipus* of 1881. It deeply moved Paul Elmer More, who, along with Irving Babbitt, championed something called New Humanism, which tried to stem the rising tide of the social sciences. In 1915, More wrote: "I have seen a band of young amateurs present the *Agamemnon* in the Stadium at Harvard, and through the crudeness of their acting and the helplessness of the chorus and the disadvantage of a language I could scarcely follow, I still knew that here was a higher form of drama than anything on the modern stage, and that the art of Aeschylus was profounder and more everlasting in its emotional appeal than Shakespeare's even."

In 1933, the Greek play returned triumphantly with a young Harry Levin, the future literary critic, as Odysseus in the *Philoctetes* of Sophocles, and in 1939 a young Leonard Bernstein composed a score for a production of Aristophanes's *The Birds* that a contemporary critic compared to Barnum and Bailey minus the elephants. Then, in April 1956, on the diamond anniversary of *Oedipus the King*, Sophocles's *Oedipus at Colonus* was presented in Greek in the courtyard of the Fogg Art Museum, with Erich Segal as Cleon and myself as the Messenger. Seated in the front row were an array of eminent personages, including Harvard's president, who was himself a classicist, and two renowned classical scholars, Herbert Bloch and Werner Jaeger, who had left Germany in the 1930s. The power of Greek drama, performed in a language that few could understand and probably no ancient Greek would have recognized, could still move an audience through its Aristotelian mixture of pity and fear. And the presence of Bloch and Jaeger symbolized, in a way that did not go unnoticed, the fusion of American Hellenism with German.

THE ROOTS OF the Harvard Greek play can thus be seen to extend far down into the nineteenth century, and into the momentous shift in international classicism from Rome to Greece. What happened to classics in America was part of a transformation that was taking place in Europe. The change from purely philological study to a more contextual approach that emphasized culture and civilization had started in Germany and reached the States through Americans who had studied there. Of these, Harvard's Edward Everett, who took his doctorate at Göttingen in 1817, and George Bancroft, who took his doctorate at the same university in 1820, were the most influential at the start. Everett's travels in Greece vastly enriched his teaching with first-hand knowledge of the landscape and the monuments of the ancient Greeks. Cornelius Felton, who held Everett's chair in the middle of the century, also traveled extensively in Greece. Both men felt an obligation to transmit their classical learning to a broader audience than their own students. As Winterer shows, the popular dissemination of the classics in the mid-nineteenth century made the field increasingly accessible to those who had formerly been excluded from university education. Classics became an effective vehicle for upward mobility, particularly for women.

It is almost misleading to speak of classicism in America. There were many classicisms, just as there had been many enlightenments in Europe (as J. G. A. Pocock has recently argued). American classicism of the eighteenth century, with its emphasis on Rome and its unremitting attention to the construing of original texts, was utterly different from the more

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broadly based and distinctly Germanic classicism of the nineteenth century. There was a sense that Americans could compete with the best of the Europeans, and the Greek play was emblematic of that. The scholarship of Basil Gildersleeve was proof of it. The next generation, at the end of the century, produced still more Americans who pursued Greek studies successfully in Germany and returned to make contributions of international importance. Such were Princeton's David Magie (Ph.D. Halle, 1904) and Illinois's William Abbott Oldfather (Ph.D. Munich, 1908).

The rise of the social sciences was not, as the New Humanists thought and as Winterer appears at times still to believe, the enemy of the classics. Karl Otfried Müller's bold and fruitful speculations about the psychological implications of Greek mythology dated from 1825. Karl Marx and Max Weber were both thoroughly professional classical scholars, whose new perspectives in political science and economics remain important today. If the number of university students enrolled for degrees in classics can be seen to decline, it is essential to recognize that classics became at the same time an integral part of several emerging disciplines, especially anthropology, politics, economics, comparative religion, and the history of science. Classics also took up its natural abode in the older disciplines of history and philosophy. This was part of the shift from translating ill-understood texts in the classroom to the thoughtful interpretation of them. It was by no means a retrograde step.

From the Notebooks of Anne Verveine

When his dogs leapt on Actaeon, he
cried (did he cry out?)—He flung

his arm to command, they tore his hand
from the wrist stump, tore

guts from his belly through the tunic, ripped
the cry from his throat.

That's how we know a god, when the facts
leap at the tenderest innards, and we know

the god is what we can't change. You
stood over me as I woke, I opened my eyes, I saw

that I'd seen and that it was too
late: the seeing

of you in the doorway with weak electric light
fanning behind you in the hall, and my room and
narrow pallet steeped in shadow

were what I couldn't change, and distantly
I wanted you, and, as distantly,

I heard the dogs, baying.

Rosanna Warren

At the end of her book Winterer records the birth of American archaeology and the establishment of American centers abroad. The conspicuous markers in this process are the foundings of the Archaeological Institute of America in 1879, the American School of Classical Studies in Athens in 1881, and the more broadly based cultural enterprise, including painting, sculpture, and architecture, known as the American Academy in Rome in 1894. All three institutions flourish today, and they represent a natural evolution from the exploratory travels of Everett, Felton, and others earlier in the nineteenth century. But once again America was participating in developments that were thoroughly international in character, and once again America was scurrying to catch up with the overseas competition. The French School at Athens came into existence in 1846, although its presence there was not fully stabilized until 1870, the same year Schliemann started his excavation of Troy. The German Archaeological Institute opened its Athens section in 1872 and launched its excavation of Olympia in 1875. The Germans began work at Tiryns the following year, and in 1878 they began the excavation of the Turkish site of Pergamum, which continues to this day.

In the rush to send classics students abroad, the Americans at least managed to get to Athens before the British, who set up their school in 1886. The new interest in artifacts and excavation inevitably tended to eclipse the kind of classicism that was exclusively based on texts and textual criticism. For some this seemed a decline or a loss, but for others it was a liberation. Archaeology brought modern scholars and travelers into immediate contact with the past in a way that texts never had, and it could be pursued by enthusiasts without the arduous training in Greek and Latin that had been the prerequisite for the old classicism. The implications for classicism in visual terms were enormous.

Classical architecture had an old and honorable tradition in America, but the rise of professional archaeology gave new impetus to the appreciation of sculpture, painting, pottery, coins, and various small objects. It encouraged private collecting and museum acquisition. Winterer devotes five interesting pages to the establishment of the museum at the University of Michigan on the initiative of Henry Frieze, but there is so much more to be told about museums and collecting in later nineteenth-century America. A few lines are given to Luigi Palma di Cesnola, the eccentric and irresponsible collector of the Cypriote antiquities now in the Metropolitan Museum in New York, but nothing is said of the no less eccentric but considerably more responsible Edward Perry Warren, to whom the Museum of Fine Arts in Boston is indebted for a substantial part of its classical collection. Warren, the son of a wealthy paper manufacturer in Massachusetts, embodied a form of classicism that was rare in the United States, although not abroad. He looked to the Greeks as models of enlightened homosexuality (Uranianism, as it was called in Britain). So Warren moved to Oxford and proceeded to buy important pieces of ancient art, many of which were shocking by late-nineteenth-century standards. In his passion for classical erotica Warren was about a century ahead of his time, particularly in the puritanical America he left behind but so generously adorned.

Of course the old ways of the philologists held on. Many professors were undoubtedly boring (many still are), but they did not kill their subject. Attacks leveled at the dry-as-dust professors whose classes concentrated on grammar and translation were nothing new. Winterer writes of the early-nineteenth-century Yale professor James Luce Kingsley that after slogging resolutely through the *Agricola* of Tacitus he told his students to their astonishment that they had been reading "one of the noblest productions of the human mind." Yet this sad remark hardly differs from A. E. Housman's startling observation a

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century later, when he abruptly declared, just before exiting smartly from his classroom, that Horace's Ode IV. 7, *diffugere nives*, was "the most beautiful poem in ancient literature." At least we have *A Shropshire Lad* and other poems to show that there really was more to Housman than textual criticism. That could hardly be said of the distinguished professor at Harvard who declared in the late 1950s that the principal value of the fragments of Sappho lay in the rare forms they preserved. One should never judge the meaning of the classics in American culture or European culture on the basis of scholars such as that. Theirs was not a classicism that had a broad impact, even if it served scholarship brilliantly (as, in the case of Housman, it did).

The transformation of classical taste that is so obvious in the late nineteenth century continued unimpeded well into the twentieth century, and that is why it is such a pity that Winterer chose to end with 1910. Classicisms did not end in that year. Not only did their migration to other burgeoning fields continue, particularly with the support of archaeology and anthropology, but the strictly classical disciplines themselves proliferated dramatically far beyond 1910. The discovery of papyri in Egypt opened a huge new field of research, with vast implications for social and economic history. Although reading and interpreting these documents from the daily life of ancient Egypt demanded formidable linguistic and historical skills, the excitement they generated galvanized the study of the ancient Greco-Roman world. It is not surprising that William Westermann, an American classicist who had taken a Berlin degree in 1902, returned to Germany in 1912 as a young professor to sit at the feet of Ulrich Wilcken, the pioneering master of papyrology. Westermann determined to introduce the new field to America and to encourage American universities to follow the example of the European ones in building up collections of these new documents.

It was Westermann who encouraged the University of Wisconsin to bring Mikhail Rostovtzeff, a dazzlingly erudite and energetic Russian scholar who had fled the Russian Revolution, to teach in Madison, and from Wisconsin Rostovtzeff went to Yale, where he towered among the historians of his time. He was a classicist by training but in practice a historian who was equally at home in archaeology and papyrology. He concentrated on the social and economic history of antiquity. As president of the American Historical Association, he brought enormous prestige to American classical studies, and he fostered a generation of eminent disciples. The achievement of Westermann and Rostovtzeff lies totally outside Winterer's research, even though both men rose to prominence before 1910. They embody the twentieth-century metamorphosis of American classics through its continued participation in international scholarship. And these were not merely classroom professors: Westermann was sent by Woodrow Wilson to be a participant in the Versailles peace conference. His still unpublished diary is a precious document for classicism in the public life of the period. Rostovtzeff spent hot months year after year in unbelievable squalor along the banks of the Euphrates, where he excavated the Parthian town of Dura-Europus.

WINTERER'S BLEAK TALE of classicism gradually grinding to a halt in the process of academic curricular change misses what really happened. She ends on an elegiac note, with the Harvard report on general education after World War II. Neither she nor John Finley, who wrote much of that report, comprehended that classics had moved outwards from the old curriculum and taken up residence in many departments other than classical ones. We have seen that in tracking classicism it is necessary to look hard at the growth of economics, political science, history, religious studies, anthropology, art history, archaeology, the history of science, philosophy, and comparative literature. If fewer people have a perfect command of Greek and Latin than was once the case, that is regrettable, but it is not disastrous as long as some people continue to have that command. We ought not to deceive ourselves. In the early days of the American nation, the miserable excerpts that students had to translate for their professors from such hoary books as the *Graeca Majora* did not produce proficient classicists. It was not this training that enriched the mind of Thomas Jefferson or John Quincy Adams. It was their own curiosity and their own deep reading that convinced them of the rewards of the classics.

What happened in the nineteenth century, with the shift from Rome to Greece in the popular and professional imagination, allowed the classics to acquire a deeper meaning and a broader relevance for more readers than before. The concentration on Hellenism paradoxically fertilized Roman studies, since (as the Roman poet Horace taught us long ago) the Romans may have conquered the Greeks, but ultimately, in cultural terms, the vanquished Greeks conquered the Romans. The great swing of the pendulum back to Rome occurred outside Winterer's purview, but it is of the greatest significance. Both Hitler and Mussolini looked to the Roman imperial state, not to Greece, as models for their evil work. The Roman republic, which had inspired America's founders, no longer mattered. What mattered was the Roman empire. The first classicist to understand what was happening and to describe it in vivid prose was Ronald Syme, whose book *The Roman Revolution* appeared in 1939. It clearly portrayed the rise of the first emperor, Caesar Augustus, in the light of the two great fascist states of the time. The classics had by no means lost their contemporaneity.

THE AFTERMATH of World War II called forth yet another classicism, bred in the shadow of the fascists. The ruthless exposure of human power and greed in pursuit of conquest and empire led to a return to the more philosophic Greeks. At the same time it engendered a less historical and more comparative humanistic study. These were the years of New Criticism, cultural anthropology, and comparative religion. They were the years in which a Center for Hellenic Studies was conceived expressly "to rediscover the humanism of the Hellenic Greeks," who were presumably to be distinguished from the modern Greeks. The location of the center in Washington, D.C., was deliberately chosen to give the nation's capital "direction." Jacques Barzun commented tartly that the whole undertaking had "all the aspects of founding a church." Another manifestation of this transcendent postwar Hellenism was the timeless serenity of the *Oedipus at Colonus* at Harvard.

It would have been worthwhile for Winterer to see what has become of the classics in the closing decades of the twentieth century, because the great pendulum of change has swung once again. The chaos of the 1960s spawned a new attention to times of chaos in Greece and Rome—to the Hellenistic period (between Alexander the Great and Augustus) and to the turbulent formation of the Byzantine state in late antiquity. There has never been so much study of the Hellenistic kingdoms as in the last thirty years. At the same time late antiquity has emerged not as a decadent afterglow of the classical past but as a vibrant world of its own. It calls into question the entire concept of decline and fall. Peter Brown, whose first great work was a biography of Augustine of Hippo, has concentrated particularly on the spiritual life of late antiquity. He has thereby renewed the close links between classicists

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and students of religion. But more than that: he and many others have looked farther and farther afield, from the centers of power (Rome, Athens, Byzantium, Jerusalem) to the remote peripheries in search of indigenous cultures and their interactions with traditional classical cultures. Whole new worlds have opened up from India to Scandinavia.

The many forms of classicism did not come to an end in America in 1910. Just as in earlier centuries, classics in the twentieth century revealed an amazing ability to reinvent itself. Naturally this re-invention has caused consternation among those who prefer to remain as they were. The classical profession has been subjected in recent years to a fierce assault from within its own ranks by Victor Hanson, whose books *Who Killed Homer?* and *The Bonfire of the Humanities* proclaim their apocalyptic outlook in their shrill titles. Hanson and his collaborators want us all to become Greeks again, whatever that may entail. But we can no more return to the Romantic Hellenism of Byron and Shelley than to Gildersleeve's principled but inadmissible advocacy of Southern slavery.

The main reason that classicism survives in America and elsewhere is precisely that it is so porous and so multiform. It can instruct and delight according to many different moral and political systems. It can equally accommodate an eighteenth-century divine and Basil Gildersleeve and E. P. Warren. It has a capacity for growth and change that is almost unexampled in the history of Western intellectual life. If certain professors live in fear of jobs lost and departments closed, the public at large is just as stunned and inspired by ancient Greece and Rome as it ever was. The great difference today is that Greece and Rome contribute only some of the world's classicisms. But if Plato and Cicero must stand alongside Confucius, Maimonides, and Ibn Khaldun, that has to be judged an enrichment of us all. ■

Byron at Ground Zero

By PETER BERKOWITZ

Romantics at War: Glory and Guilt in the Age of Terrorism by George P. Fletcher

(Princeton University Press, 240 pp., $24.95)

AS DID THE major wars that we waged in the past, so too does the war on terrorism that we wage today put our liberalism—our fundamental devotion to the principle of the freedom and the equality of all—to the test. Do we, heirs to an individual liberty that is unprecedented in human affairs, have the wherewithal to fight back, sacrifice if called upon, and see through to a successful result what is bound to be a long and wearying conflict? Do we have the rectitude and the fortitude to honor our principles at home and abroad? Do we have the steadiness and the breadth of vision to grasp the world as it actually is, understanding without partiality or sentimentality our own interests and ideals as well as those of our adversaries?

As before, today's naysayers and doom-tellers proclaim, often with a barely disguised glee, what they take to be incontrovertible truths about liberalism's fatal vulnerabilities. Our liberalism will prove our undoing, they declare, because it promotes decadence, indifference to principle, and blindness to the world's complexities. Lulled into complacency by the sweet rewards of freedom, liberals cannot rise to the multitude of harsh challenges that a dangerous world constantly poses, or even perceive them correctly. In their own defense, liberals can summon history to their side, pointing with pride to the heroism of those who prevailed in the fight for freedom and equality in the Revolutionary War and the Civil War and World War II. But thoughtful liberals and their loyal friends know that the naysayers and the doom-tellers, whatever their motives or their ideals, have a case. Indeed, it would be most unwise for those devoted to liberalism's well-being to turn a blind eye to liberalism's weaknesses.

The root of the problem is that the ideal of equality in freedom—the good above all that liberalism seeks to promote—may nurture a tyrannical tendency. Once it has a grip on our souls, freedom grows dissatisfied with being first among goods and sets out to become the one and only good, the good pure and simple. In its quest for unchallenged sway in our hearts and our heads, it can make us soft and selfish, averse to the constraints of that discipline whereby we defer the gratification of some desires for the sake of the satisfaction of higher and better desires, and whereby we show respect for others because it is in our enlightened self-interest to do so. Moreover, inclining us to experience all limits on what we want with equal distaste, the appetite for freedom can encourage impatience with, or indifference to, the imperatives of principle, promiscuously granting us license to disregard the claims of others, whether at home or in distant lands, when we perceive them to pose a threat of any sort to our freedom. And by focusing our attention on our own preferences and choices (isn't choosing what we want what it's all about?), freedom's pull can lead us to see political life in our own distorted self-image, as entirely constituted by freely choosing agents, obscuring the formative role that associations—friendship, family, the nation, culture, religion—play in shaping our preferences, defining our choices, and constituting our goods.

Of course, one can no more take the measure of liberalism by dwelling on the pathologies to which lovers of freedom are prone than by confining one's gaze to the good of equality in freedom for which liberalism stands. For understanding liberalism—and how well it has prepared us for the war we did not seek but now must wage and win—involves taking account of both its pathologies and its glories, as well as of the moral preconditions of freedom, or the beliefs and practices and institutions that enable us to use our freedom wisely.

GEORGE P. FLETCHER is convinced that our liberalism—or, as he sometimes prefers, our "liberal individualism"—has left us ill-equipped for the task of understanding and waging effectively or justly the war on terrorism. Owing to what he regards as liberalism's impoverished moral and intellectual resources, our efforts to comprehend "American policies in the wake of September 11" and to elaborate a "jurisprudence of war" for a new age are beset by a "conceptual morass." Fletcher's aim is to rescue us from it. By showing the extent of our hitherto unacknowledged dependence on, and the untapped insights and inspiration we have yet to draw from, the Romantic tradition—

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the tradition of, among others, Blake and Wordsworth and Keats and Byron in England, and of Herder, the Schlegels, and Fichte in Germany—Fletcher aims to liberate us from our liberalism.

In Fletcher's view, "those sympathetic to war in our time are heirs to the Romantic tradition." It is an odd and rather professorial explanation of what is in the newspapers: our response to the war seems so readily explicable without the slightest recourse to the history of ideas. Yet Romanticism does much more, in Fletcher's view, than merely explain the substantial majority of Americans who supported President Bush's military response to the September 11 attacks. The "revival of Romantic sensibilities in the United States," when properly understood, also provides the opportunity for a far-reaching criticism of "the prevailing liberal orthodoxy in our liberal arts colleges, in schools, in the courts, and in the media." Indeed, according to Fletcher,

> liberal principles, drawn from Aristotle and Kant, support the commitment to abstract justice—an idea that should prevail in our courts but arguably should have only an incidental role in our foreign policy. In the age of terrorism we are torn between our Romantic and liberal selves, and this explains why we fluctuate in our thinking about war and justice.

Yet this early statement of one of Fletcher's central claims weirdly denies another one of his central claims, inasmuch as a large portion of his book is devoted to showing that abstract justice should *not* prevail in our courts, because it is in need of limitation and correction by a Romantic concern for the local and the particular and the contextual.

WHAT IS STRIKING is how Fletcher's overreaching in the formulation of his thesis, and the confusion in the opening statement of one of his core claims, prefigure the overreaching and the confusion that pervade his book. Although the issues that he addresses—our support for the war on terror, the law of war, collective guilt, military tribunals, treason, and the nature of punishment—urgently call for illumination, and the analysis that he offers abounds in fertile observations, Fletcher's rescue mission exacerbates the conceptual morass from which he seeks to extricate us.

A good deal of the overreaching and confusion can be traced to Fletcher's stage-setting and ultimately tendentious rendition of Romanticism. To be sure, it is in many respects unexceptionable. Drawing on Isaiah Berlin's account in *The Roots of Romanticism*, a posthumously published collection of essays, Fletcher characterizes Romanticism as a movement arising in the last third or so of the eighteenth century and extending into the first third of the nineteenth century, a movement that rebelled against the Enlightenment glorification of reason and the intellect. The Romantics, Fletcher reminds us, celebrated emotions, passions, sentiments, and the heart. Whereas the Enlightenment strove for mastery over nature, for outward order, for inner calm and stability, the Romantics sought to submit themselves to "nature, sensual impulse, and the inner world of feeling as the lamp of truth." While the Enlightenment spirit is "reductionist," seeking to resolve the world—moral and political as well as physical—into its component parts and ultimately to explain it in terms of simple cause-and-effect relations, the Romantic sensibility is "expansionist," searching ordinary experience and everyday things for latent transcendent forms, harbingers of grand ideas, and intimations of eternity. Above all, the Romantics glorify self-realization through purifying one's passions and becoming true to one's self.

So far, so good. In one critical respect, however, Fletcher departs from Berlin's account of Romanticism. This concerns the centrality that Fletcher assigns to the idea of the nation in Romanticism: he asks it to do a substantial amount of work in his argument, explaining both our nation's coming together in the wake of September 11 and the need to incorporate an appreciation of collective guilt in our understanding of the legal issues arising out of the war on terror. According to Fletcher, there is a distinctive "Romantic perspective on collective action." In contrast to the Enlightenment, which emphasized abstract rights and universal laws, the Romantic movement stressed "partiality and solidarity," particularly with the nation. It is "a view of the world that tends to glorify the nation and war as an expression of patriotism." It places a premium on "the values of brotherhood, and courage, and honor." In Fletcher's view, the idea that individuals realize their true selves in and through the nation is one of Romanticism's constitutive teachings.

Fletcher's insistence on the centrality to Romanticism of the idea of cultivating one's self through devotion to the glory of the nation is extremely misleading, in a variety of ways. Actually, the idea is neither peculiarly nor essentially Romantic. The Bible, Aristotle, the Romans, the civic republican tradition—and, in twentieth-century Europe, fascism and communism—all taught in one form or another that the individual's good is intelligible only against the backdrop of the collective good. Worse for Fletcher's argument, not all Romantics believed that participation in the life of the nation was crucial to self-purification and self-realization. Most Romantics did not conceive of self-purification and self-realization in this way. Not even Byron, whom Fletcher cites as exemplary, believed that securing the glory of the nation was crucial to the good of the individual. Byron certainly took his Romanticism seriously, but not the version that Fletcher imputes to him. So little was he attached to the nation that produced him, nourished him, and in whose language he wrote and achieved acclaim that he lost his life on the way to joining the national struggle of another people.

CONTRARY TO FLETCHER, the Romantics' core values had no necessary connection with the affirmation of the value of nationhood, and in many ways they were irreconcilable with it. This is certainly the view of Isaiah Berlin, Fletcher's own acknowledged authority on the question. As Berlin observed,

> The values to which [the Romantics] attached the highest importance were such values as integrity, sincerity, readiness to sacrifice one's life to some inner light, dedication to some ideal for which it is worth sacrificing all that one is, for which it is worth both living and dying. You would have found that they were not primarily interested in knowledge or the advance of science, not interested in political power, not interested in happiness, not interested, above all, in adjustment to life, in finding your place in society, in living at peace with your government, even in loyalty to your king, or to your republic. You would have found that common sense, moderation, was very far from their thoughts. You would have found that they believed in the necessity of fighting for your beliefs to the last breath in your body, and you would have found that they believed in the value of martyrdom as such, no matter what the martyrdom was martyrdom for. You would have found that they believed that minorities were more holy than majorities, that failure was nobler than success, which had something shoddy and something vulgar about it. The very notion of idealism not in its philosophical sense, but in the ordinary sense in which we use it, that is to say the state of mind of a man who is prepared to sacrifice a great deal for principles or

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> for some conviction, who is not prepared to sell out, who is prepared to go to the stake for something which he believes, because he believes in it—this attitude was relatively new. What people admired was wholeheartedness, sincerity, purity of soul, the ability and readiness to dedicate yourself to your ideal, no matter what it was.

The nation was at most one ideal among many to which an individual infused with the Romantic sensibility might dedicate himself, heart and soul. For Herder and Fichte, the nation occupied a place of honor. But taking the tradition as a whole, devotion to the nation certainly had no priority. And compared to the lure of giving oneself wholly and purely to the love of a woman, or to the creation of art, or to the union with nature, or to the worship of God, the nation was for most Romantics a decidedly less worthy object of devotion. Most Romantics were too lofty or too snobbish for such participation in the dreams of the masses.

As peripheral as the glorification of the nation is to the core values of Romanticism, it is even more peripheral to the explanation of our response to the terrorism of September 11. Fletcher's efforts to conjure one notwithstanding, there is hardly any puzzle to speak of here. Fletcher observes that our response to the war on terror reflects a sea change from the nation's response to the war in Vietnam. That is true; but the sea change is perfectly understandable in light of the nature of the two wars, or at least in light of the nature of popular perceptions of them. When, in 1966, Muhammad Ali proclaimed his reason for refusing to be drafted—"I ain't got no quarrel with them Viet Cong. No Viet Cong ever called me nigger"—his geopolitical wisdom could certainly be questioned, but his sense that his government wished to ship him around the world to fight somebody else's misguided war spoke for a substantial portion of the population.

By contrast, few Americans suffer doubts about the nature of our quarrel with the Al Qaeda terrorists and with regimes that harbor them, or feel confusion about our reasons for sending the military to Afghanistan to search out and destroy them. Yet Fletcher's argument makes it necessary to re-state the obvious. We support the war on terror not because there is a recrudescence of the Romantic spirit in America, but because there is anger and grief over the loss of more than three thousand fellow citizens in the World Trade Center, in the Pentagon, and in the hijacked commercial airliners turned into weapons of mass murder; out of self-interest in defending our shores and our selves from future attacks by adversaries who have shown in word and deed their contempt for human life, their hatred for us, and their willingness to use against us weapons of mass destruction; and out of a principled desire to stand up for our way of life, self-government based on equality in freedom. With the images of the Twin Towers crashing to the earth and a great black smoldering gash in the Pentagon indelibly engraved in our minds; with the memories of the innocent men, women, and children who suffered horrific deaths still vivid; with knowledge of the forever scarred lives of the victims' friends and family members weighing upon us; and with the fear of attacks with biological and chemical and nuclear weapons looming over us, few Americans doubt that the war on terror is their war. On reflection, it is not our support for the war that has something Romantic about it, it is Fletcher's fanciful interpretation of our response.

For Fletcher appears bent on finding in our support for the war something transcendent, grand, eternal. Indeed, for Fletcher the war on terror throws into sharp relief a "fundamental and enduring conflict" in our moral and intellectual life, an unbridgeable divide between the claims on us of Enlightenment rationalism and the claims on us of Romanticism, between abstract liberal rights and the bonds of collective solidarity, between the life guided by universal reason and the life guided by particular passion. But Fletcher cannot make up his mind about the nature of the choice that we confront, as evidenced by his telling us that it does not matter whether the Rationalists or the Romantics are right and also that it matters very much; that we cannot reasonably choose among the fundamental alternatives and also that we might be able to choose reasonably if we give both alternatives fair consideration; that the very fact of the fundamental and enduring conflict implies the truth of Romanticism and also that the truth of Romanticism is still very much an open question. Conveniently, he tells us all this in a single paragraph:

> Our concern is not whether the Enlightened or the Romantic thinker should gain the upper hand, whether one of the positions is right or wrong. There is no neutral way to choose between the cerebral appeal of universal rationality and the siren of passionate subjectivity. We are caught, as the Romantics would say, in an ongoing struggle between two

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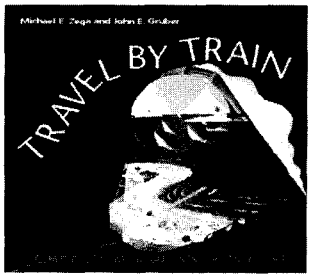

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> conflicting world views. Whether we can resolve this struggle depends ultimately on whether we come down in favor of the Rationalists or the Romantics. Without prejudging that question, we have much to learn by opening our minds to the Romantic alternative. At stake is appreciating the way in which Romantic views percolate through our culture, and influence our attitudes toward nationhood, honor, and war.

Still, for all the conflicting indications packed into a few sentences, one implication of Fletcher's undertaking is tolerably clear, though he himself cannot see it or state it clearly, and it is the primacy of its liberalism. By insisting that the choice between rationalism and Romanticism should be governed by reason and not by passion, by careful and systematic study and not by impetuous sentiment, by "opening our minds" and not by going with our hearts, Fletcher sides with liberalism against Romanticism. For, as he openly and correctly affirms, Romanticism denigrates systematic rational inquiry and instead glorifies the wisdom of the heart. The problem is that Fletcher's either/or is an artifice of his own. To reject the Romantic exaltation of the wisdom of the heart, as Fletcher does implicitly, is not necessarily to opt for the intellect as opposed to emotion, reason against passion, books rather than the wonders of nature. For prior to inquiry it is mere dogmatism to deny that reason, as the liberal tradition teaches, is capable of providing a reasonable account of the place of emotion and passion and sensuous experience in a good life.

THE EXAMINATION OF legal issues that occupies much of Fletcher's book suffers from a similar misunderstanding about the roles of, and the relations between, liberalism and Romanticism. Although Fletcher's central claim is that recourse to the spirit of Romanticism, in particular its supposed focus on the collective action and the nation as an agent, is necessary to clarify the legal challenges thrust upon us by the war on terror, the cases of "conceptual confusion" that he seeks to dispel invariably involve affronts to the dignity of individuals. Certainly the alternative approaches that he favors in regard to the two most important legal topics that he considers—the prosecution of individuals by international bodies for crimes in violation of international criminal law and the constitutionality of the Bush military tribunals—involve an enhancement or a refinement of the legal system's respect for individual dignity. Indeed, far from effecting a liberation from liberalism, Fletcher's legal analysis betrays a kind of hyper-liberalism.

Consider Fletcher's discussion of the post-Nuremberg regime of international criminal justice. He worries about the new focus on the responsibility of individuals rather than the traditional concentration on the responsibility of states. Why should the International Criminal Court, Fletcher wonders, prosecute Slobodan Milosevic, a legitimate head of state, for crimes against humanity committed under his leadership but impossible without the involvement of the Yugoslav military and the vital support of at least substantial segments of the Yugoslav people? One commonsense answer is that leaders, as representatives of their people, assume a special position of responsibility, which entitles them to praise and honor when things go well and exposes them to blame and guilt when things go awry. According to Fletcher, however, holding individual persons criminally responsible for violations of the laws of war reflects the biases of liberal individualism. And it conflicts with what, but for those biases, should be evident about the collective nature of those crimes:

> The facade of individual criminal responsibility obscures basic truths about the crimes that now constitute the core of international criminal law. The four crimes over which the court has jurisdiction—aggression, crimes of war, crimes against humanity, and genocide—are deeds that by their very nature are committed by groups and typically against individuals as members of groups. Whatever the pretense of liberal international lawyers, the crimes of concern to the international community are collective crimes. It is true that as a formal matter only individuals are prosecuted, but they are prosecuted for crimes committed by and in the name of the groups they represent. Once the collective nature of these crimes comes into proper focus, once we overcome the liberal bias that has prevailed since Nuremberg, we should be able to see the influence of collective action in domestic criminal law as well.

Individual criminal responsibility obscures other forms of responsibility. No doubt many liberal international lawyers have energetically deluded themselves and self-righteously crusaded around the world to persuade others that the charges they level, the trials they participate in, the guilty verdicts they secure, and the punishments they urge upon international tribunals flow from universal rule-of-law principles when in fact they represent a kind of rough—and often justified—victor's justice. And yet Fletcher is wrong to mistake the biases and narrowness of vision typical of some contemporary liberals as intrinsic to the liberal perspective.

THE FACT IS that one can reject every critical tenet of Romanticism and embrace every critical tenet of liberalism and still affirm with Fletcher that in cases of violation of international criminal law

> the formal structure of liability should not camouflage the collective personality inherent in the crime. The individual offenders are liable because they are members of the hostile groups that engage in unlawful aggression, commit "widespread or systematic" cruelty, and perpetuate harms with a design to eliminate opposing cultures.

Indeed, one can affirm the place of the collectivity in violations of international criminal law without abandoning the idea of individual liability. For the "collective personality" of the crime, the membership in a hostile group, in no way obviates the special moral and political responsibility of leaders and high-ranking government officials for channeling collective energy, making critical decisions, and issuing orders that result in criminal violations.

Moreover, Fletcher misunderstands the real provenance and the underlying principle of his criticism of international criminal law, both of which are not Romantic but liberal. Typically, those who invoke ideas of "collective guilt" and "collective responsibility" do so in order to justify punishments directed against a nation as a whole or to absolve individuals altogether. Fletcher, by contrast, wishes to reject the "excesses of Romanticism," according to which either the nation as a whole is punished or all individuals are viewed as innocent since they were merely authentically carrying out their nation's particular ideals. Yet it is on liberal grounds, not on Romantic grounds, that he rejects these excesses. Fletcher rejects the idea of collective punishment for the standard liberal reason that such punishments fall upon the innocent along with the guilty, and he rejects the idea of absolving all individuals because his liberalism teaches him that respect for individuals requires that they be held accountable for their deeds.

In a surprise move, Fletcher invokes the idea of collective guilt as a "mitigating factor" to justify tempering the punishments that the international criminal

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courts mete out to individual heads of state. It is a "way of thinking about collective guilt ... that is compatible with and indeed enhances the principle of individual responsibility." It draws on the practice of distributing liability in the law of torts on the basis of relative fault and the defense of provocation against the charge of murder:

> My plea is that we begin to think, in general, about criminal guilt in line with this principle of distribution according to relative fault. If a nation bears guilt for the homicidal tendencies of its people, then individual perpetrators should arguably be less guilty and their punishment should be mitigated. As the provoked killer is guilty only of manslaughter, the killers who act in the name of the nation should—if the analogy holds—be liable for a mitigated offense.

What Fletcher calls "a humanistic defense of collective guilt" is an appeal to background conditions and the context of action designed to protect individuals against conviction for crimes for which they cannot rightly be held responsible, or rather fully responsible. Despite his confusing introduction of the term "humanistic," Fletcher's moral intention has a distinctly liberal lineage, though of course the conviction that one better respects the individual by seeing his actions as the result of impersonal social forces beyond his control may be an illicit extension or abuse of the liberal idea.

Not that Fletcher has a scintilla of sympathy for the likes of Milosevic. It is just that punishing him as if he were solely responsible for crimes perpetrated with the support of his nation (or substantial portions of it) ascribes to him, in Fletcher's view, an autonomy that he did not possess. And it might give the world an excuse "to convict and move on," to "blame the primary figures and ignore the guilt of collectives for generating the crime, thereby deceiving ourselves that we have solved the problem." In other words, Fletcher wants us to be Rationalists and not Romantics, to think with our heads and not run with our hearts.

It would go too far to say that Fletcher's argument in effect brings the "abuse excuse" to bear on defendants in the international criminal justice system: it was the culture that made them do it. Still, in wishing to diminish individual criminal liability because of the impersonal social and cultural forces that inform and perhaps even impel it, it is Fletcher's hyperliberal individualism and not his Romanticism speaking: his exalted sense of what autonomy requires, and not his rejection of autonomy, is what leads him to conclude that Milosevic lacked it.

SIMILARLY, IN REGARD to President Bush's executive order of November 13, 2001, authorizing the use of military tribunals to try non-citizen terrorists connected to the September 11 attacks, Fletcher's uncompromising condemnation has little to do with Romanticism and everything to do with a certain interpretation of the imperatives of liberal individualism. Fletcher's liberalism knows no half-measures or departures from principle. He is adamant that civil liberties must not be compromised for the sake of security, that the Constitution must not be suspended even in times of war and national emergency. But these principles—which will find few opponents when stated so abstractly—are really where the hard constitutional question arises: what provisions does the Constitution make for balancing civil liberties against security in wartime?

Fletcher's analysis of the constitutional question is at best strained, and at moments it is incendiary. His view, developed in an article in *The American Prospect* last January, and in subsequent exchanges in that magazine with Cass R. Sunstein and Laurence Tribe, and now elaborated in his book, is that the Bush military tribunals are entirely without foundation in the Constitution, and represent a harm to the nation as grave, if not more so, than the mass murder perpetrated by Al Qaeda. "For ordinary citizens the critical day was September 11," Fletcher ominously observes. "For lawyers and civil libertarians the missiles fell again on November 13."

The crux of the problem, according to Fletcher, is "the clear language of the Constitution (Article III, section 2, and the Sixth Amendment), which guarantees a jury trial in every criminal prosecution." Since the Al Qaeda terrorists are accused of crimes, they should receive regular jury trials, with all of the protections federal law guarantees to criminal defendants. In Fletcher's view, *Ex parte Quirin*, the Supreme Court decision of 1942 unanimously upholding President Roosevelt's use of military tribunals to try eight German saboteurs captured in the United States, provides no valid precedent for the Bush military tribunals. This is because that decision, according to Fletcher, should be seen as restricted to spies in times of war.

Fletcher can scarcely contain his scorn for those who disagree: "To me personally, it is shocking that any serious thinker

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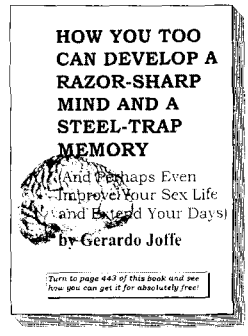
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about American law would even consider arguing that the Bush order is compatible with the basic principles of the U.S. Constitution." And in a book that trumpets its ambition to rescue us from liberalism, Fletcher cannot restrain himself from mocking, as he did in *The American Prospect*, the supposed failure of Sunstein and Tribe to uphold the liberalism embodied in the Constitution: "we find two of our leading and supposedly liberal professors of Constitutional law making precisely these kinds of arguments." Yet Fletcher's scorn notwithstanding, the argument for the constitutionality of Bush's military tribunals to try Al Qaeda terrorists is relatively straightforward.

Against Fletcher's contention that *Quirin* covers only the use of military tribunals to try spies in times of war, Sunstein pointed out that Fletcher misunderstands the holding of *Quirin*: "Fletcher suggests that the *Quirin* Court allowed the defendants to be convicted for spying, not for violations of the laws of war. This is wrong. The Court refused to assess the spying charges and ruled only on the charges involving violations of the laws of war." And as Tribe observed, Fletcher "wrongly asserts that the Court confined its notion of 'unlawful combatants' to those whose sabotage was limited to spying. We must surely be cautious in extending *Quirin*'s reach, and I continue to regard the decision itself as dubious. But trying terrorists by commission falls within *Quirin*'s logic not because their crimes are 'worse than spying' but because they similarly aim to kill by stealth in what is effectively a time of war."

Justice Harlan Stone's opinion in *Quirin* bears out Sunstein's and Tribe's interpretation. The German spies were charged with violating the international common law of war and with specific violations of the congressionally enacted Articles of War. The Court noted that Congress had authorized the president to use military tribunals in cases involving violations of the laws of war. And by waging war as "unlawful combatants," the German saboteurs had, the Court held, violated the law of war:

> By universal agreement and practice, the law of war draws a distinction between the armed forces and the peaceful populations of belligerent nations and also between those who are lawful and unlawful combatants. Lawful combatants are subject to capture and detention as prisoners of war by opposing military forces. Unlawful combatants are likewise subject to capture and detention, but in addition they are subject to trial and punishment by military tribunals for acts which render their belligerency unlawful. The spy who secretly and without uniform passes the military lines of a belligerent in time of war, seeking to gather military information and communicate it to the enemy, or an enemy combatant who without uniform comes secretly through the lines for the purpose of waging war by destruction of life or property, are familiar examples of belligerents who are generally deemed not to be entitled to the status of prisoners of war, but to be offenders against the law of war subject to trial and punishment by military tribunals.

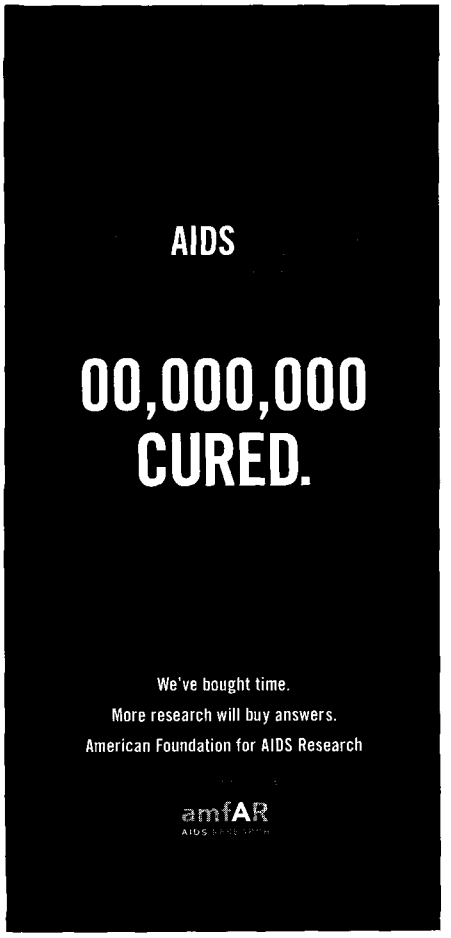
Under *Quirin*, Bush's military tribunals are constitutional to the extent that the Al Qaeda terrorists violated the law of war by fighting as "unlawful combatants": certainly the military tribunals would be applicable to terrorists who passed without uniform into the United States and waged war by attacking civilian and military populations and property.

Now, one may think that *Quirin* is a poorly reasoned decision. One may quarrel with the historical and theoretical grounds of the Court's distinction between unlawful and lawful combatants. One may argue that the case law cited in *Quirin* does not support the holding. One may favor reversing *Quirin*. One may believe that the Bush administration would be making a tactical blunder by exercising the constitutional option to use military tribunals. One may even deplore a supposed violation of cardinal tenets of liberalism that military tribunals always and everywhere embody. But what one cannot plausibly argue is Fletcher's position, that the logic of *Quirin* fails to cover the Bush military tribunals.

So what is really driving Fletcher? In effect, he seeks to legalize or to constitutionalize a dispute about morality and prudent politics. The moral intention that he is bent on upholding through this gambit seems to be the general extension of the rule of law and fundamental procedural protections to all criminal defendants regardless of their crime. Yet again, this reflects not a Romantic requirement but an aspiration to honor a liberal promise. Or, rather, a certain radicalization of the liberal promise of equality in freedom. Or, better still, a romanticization of the liberal promise that all individuals are equal before the law. Recoiling at what he regards as an impurity in the liberal promise embodied in our Constitution—its failure of complete universalization—Fletcher rewrites it. He is a Romantic for a universalized liberal individualism.

But as his account of Romanticism was lopsided, so too is the liberalism that he romanticizes and seeks to universalize parochial and truncated. Early in his book, commenting on the need to go to school with the Romantics, Fletcher asserted that "the great moral philosophers of our time have all been liberal individualists. The list includes John Rawls, Ronald Dworkin, Amartya Sen, Joseph Raz, Thomas Nagel, and Bruce Ackerman." With all due respect to Fletcher's friends and colleagues and conference buddies, all of whom are leaders in their field, it is nonsense and not a tad illiberal to restrict the great moral philosophers of our time to the leading liberal individualists. Over the last fifty years, the criticism of liberalism has a long and distinguished lineage. What of Hannah Arendt, Alasdair MacIntyre, Pierre Manent, Michael Oakeshott, Leo Strauss, Charles Taylor? Indeed, what of Isaiah Berlin himself, whose appreciation of the richness and the limits of liberalism was itself informed by the Romantic criticism of liberalism?

Fletcher's parochial and truncated version of liberalism prevents him from seeing either the full range of the resources of the liberal tradition or the liberal roots



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of Romanticism. For the liberal tradition is not just about procedural justice. In fact, it is rich—from Locke on education, to Montesquieu on the spirit of the laws, to Smith on the division of labor, to Mill on representative government—in explorations of the moral and material preconditions of self-government. And Romanticism is not a simple or radical alternative to liberalism. In its focus on the individual's need to make and to re-make the world, to step around and over convention, to defy rules and reason for the sake of the heart, it reveals itself to be a particular interpretation of what it means to be by nature free, and so it reveals itself to be a child of liberalism.

As always, it is incumbent upon us to recognize and take precautions against the vulnerabilities to which we are exposed by the very freedom that we seek to defend. One properly turns to Romanticism to understand certain limits of liberalism—its tendency to suggest that problems of moral and political life can be solved by the application of abstract or procedural reason; its proclivity to forget that autonomy is an achievement and that individuality depends on discipline; its propensity to overlook that individuals become stronger and freer in association with other individuals. Yet Romanticism properly understood is not an alternative to, or an enemy of, liberalism. It is a powerful predisposition, especially in a world defined by liberalism's fundamental moral premise: equality in freedom. It is an expression of our longing for wholeness in an age in which the very notion of authoritative ideals has become questionable, and in which individuals are therefore compelled to choose the ends by which they will live and die.

Finally Romanticism must be understood in light of the liberalism that gives it life. In war, as in virtually every aspect of moral and political life worth discussing, both the head and the heart must be honored. Recognizing its power to give the head its due and the heart its due is crucial to giving liberalism its due, which is to our advantage in the altogether worthy effort to use and to protect our freedom wisely. ■

America in the World
November 7–8, 2002
Thursday, November 7, 2002
Samuel P. Huntington
7:00 p.m., Alumni Hall
Friday, November 8, 2002
Lionel Jospin
9:00 a.m., Old Cabell Hall
Robert D. Kaplan
10:30 a.m., Old Cabell Hall
Panel Discussion
12:00 p.m., Old Cabell Hall
http://religionanddemocracy.lib.virginia.edu

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continued from page 5

from these kind of regulations.

The author purports to summarize my argument but craftily omits price and competition from his summation. There are two reasons for the lagging demand in broadband services to the home: First, prices remain high because there is so little competition among DSL and cable providers of broadband; second, the quality of transmission remains relatively low because of the limitations in the speed of cable and of the Baby Bells' copper wires that connect the "last mile" of phone service. So the question is how to encourage competition *and* improve the quality of transmission through installing, say, fiber-optic connections. The Baby Bells say they will provide the necessary investment if the government allows them to prevent competitors from using their wires. That might solve the problem of transmission (although who knows whether the Baby Bells would make the investment), but it would not solve the problem of price and competition. We'd be heading back to the situation of the telecommunications industry before 1982—that is, toward the kind of "natural monopoly" toward which, in the absence of government regulation, the telecommunications industry has tended. The other alternative is for the government to subsidize the construction of the last mile—the way it subsidized the building of the railroads and highways—and to use its regulatory powers to ensure that competition exists among DSL and cable Internet providers.

Powell, who commands a majority on the FCC, has taken two decisions this year that would limit access and competition and would discourage improvements in service. First, the FCC adopted a "proposed rulemaking" that telephone-based broadband services are "information services, with a telecommunications component, rather than telecommunications services." According to the 1996 Telecommunications Act, telecommunications services have to grant open access, but information services do not. Second, Powell's FCC ruled that cable-based broadband was an "interstate information service" and not a "telecommunication service" or a "cable service." That ruling allows cable companies to escape the requirement that they open their lines for a fixed fee to other providers. The decision will also remove cable companies from local regulation over prices and service. Michael J. Copps, the sole dissenter on Powell's FCC, wrote, "Make no mistake—today's decision places these services outside any viable and predictable regulatory framework." ■

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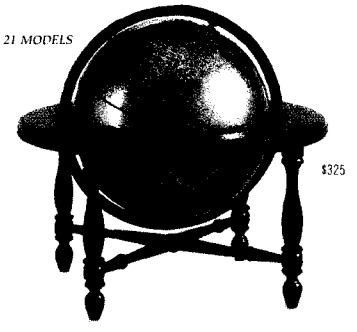
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WASHINGTON DIARIST

Lesser Evil

EVERYWHERE YOU LOOK you see the exposed flesh of smoldering sex goddesses. The love grotto at Hugh Hefner's mansion? Hardly. I refer, of course, to the typical American high school. If you haven't been inside a public school lately—an experience my wife and I have often, with three kids in the schools of Montgomery County, Maryland—be advised that high schools, and even middle schools, have become cheesecake central. Current teen girls' fashion includes low-cut tank or spaghetti-strap tops with almost nothing above the bustline, exposed navels, and short-shorts that show the entire leg. When I was in high school I attended games of the girls' volleyball team just to get a look at legs and dream. Now the halls of public schools are crowded with flashed flesh. How can high school boys stand it?

FOR THAT MATTER, HOW CAN HIGH school girls? Dropping my kids off at school on cold days, I see girls in their short-shorts taking a deep breath and sprinting from the SUV to the school door before their gams frost over. Baby-boomers appear to be raising a generation that is impervious to temperature. Even on cool days both my middle schoolers insist on going to school in T-shirts with no jacket, because jackets are currently Out.

BEYOND THE PHYSICAL STAMINA INvolved in under-dressing, there's the social significance. The current minimalist fashion is known even by practitioners as the "cheap-slut" look. What's it about? Fashion pop psychology says women dress first to feel good about themselves, second to impress other women, and only as an afterthought to appeal to men. With high school girls, the third may be a larger concern, yet my guess is that even if boys were banned from school the same fashion would still dominate. Teen-girl undress may be a form of status boasting—to display that you are slim enough to be attractive with hardly anything on. Otherwise, aside from near-nakedness, no part of the cheap-slut formula is authentic. First, I've seen the places where these girls and their moms shop, and they are anything but cheap. Second, sexual activity among teens is in decline. At the beginning of the 1990s, 54 percent of teenagers were sexually active; by the end of the '90s the figure had dropped to 48 percent, meaning today there are more high schoolers who have not had intercourse than those who have.

MY THEORY IS THAT THE HALF-NAKED teen-girl phenomenon mirrors the current social ethos, in which Americans wish to be viewed as incredibly sexually adventurous while actually doing little. When I was in high school, the most sought-after girls were those who played to the sociology of the times by pretending to be chaste but, in private, really put out. Perhaps today the most sought-after girls also play to the community sociology—by pretending to be sex-crazed but being cautious in private.

EVERYONE KNOWS MONTGOMERY COUNty has been the scene of horrible murders in the past three weeks, and at this writing the anxiety is so high—and the situation in such flux—that it's hard to know what to say. It's much easier to discuss the issue that dominated county politics until the murders—traffic. A combination of heady growth, affluence-funded expansion of the SUV fleet, and years without road construction has left the county in gridlock. Left-turning out of my neighborhood onto Seven Locks Road—designed as a neighborhood corridor but now a commuter speedway—is impossible during rush hour. Four candidates recently squared off for the Democratic nomination for the county's main congressional seat, and their opinions on road-building were the central issue—even though Congress has almost no influence over local road decisions.

IT'S THE MONTGOMERY COUNTY COUNcil that controls the roads, and voters this September tossed out a coalition of anti-growth members who have long blocked roadbuilding on ideological grounds. For years about half the council had been pro-growth and pro-roads, the other half anti-growth and anti-roads. They split the difference, allowing growth but not roads. Housing, retail, and office construction have boomed throughout the county, while road expansion has repeatedly been vetoed—prominently, a proposed highway called the intercounty connector (ICC). Localities now compromise between big developers and enviro lobbying by being pro-growth but anti-road. The result is more cars squeezed into the same space.

EVENTUALLY SOMETHING WILL HAVE to give. What I hope gives first is the specious enviro argument that more roads "just cause more traffic." It's true that if the ICC is built, traffic in Montgomery County will increase. But traffic will also increase if the road is not built. It is cast in stone that there will be more people driving more cars; the issue is whether government will respond. During the last 30 years, U.S. vehicle miles driven has risen 143 percent, but road capacity has risen only 5 percent. This means gridlock arrived during a period in which the preferred enviro strategy—no roadbuilding—was in force, exposing the fallacy of the contention that roads cause traffic. Until population growth ends, which is at least a generation off, roadbuilding must resume.

PRESCRIPTION-DRUG PLANS CONTINUE to pepper the election news, and, like roads, this is another issue where you can't have it both ways. People endlessly complain of the costs of pharmaceuticals yet rarely object to the benefits. One reason the United States has so many senior citizens outraged about drug prices is that drugs have kept them alive to reach the age at which they need more drugs. Imposing price restrictions that starve funding for pharmaceutical research—almost all of which is private, not government-sponsored—would kill longevity's golden goose.

LEADING THE CHARGE AGAINST pharmaceutical prices has been *The New York Times*, whose front page and editorial page both advance the notion that drug patents are shocking and generic pricing should rule. Yet the *Times* itself is the nation's most expensive daily, costing more than others even though it is reporting the same news as everybody else! Why should the *Times* be allowed to charge more when cheaper newspapers contain the same facts and are manufactured using the same words? Perhaps Congress should force the *Times* to waive copyrights on its stories and sell as a cut-rate generic. (Bylines could say, "BY A REPORTER.") That would harm the public, because the *Times* would stop doing original work that others copy, just as price restrictions on prescription drugs would harm the public by discouraging research to find formulas for the generics to copy. But it would be following the *Times*' own advice. I hear the *Times*' hierarchy protesting, "We produce a superior product that people want because it's better than cheap imitations." Aha. Why should this premise apply to newspapers we toss on our breakfast table but not drugs we put into our bodies?

GREGG EASTERBROOK

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